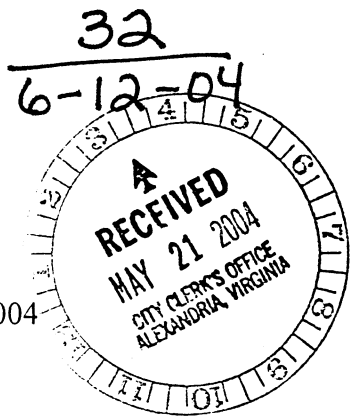


EXHIBIT NO. 1

ALEXANDRIA CITY COUNCIL
C/O CITY CLERK
301 KING STREET
ALEXANDRIA, VA 22314

MAY 21, 2004



NOTICE OF APPEAL
FROM
PLANNING COMMISSION DECISION
OF
PRELIMINARY SITE PLAN

The undersigned, by counsel, hereby note their appeal to the decision of the Alexandria Planning Commission made on May 6, 2004, (docket item number 24, A&B), to approve DSP#2004-008 at 1900, 1904 and 1910 Russell Road, with conditions.

The appellants, owners of property within 1,000 feet of the site plan property, state the following as grounds for appeal:

1. The size, location and orientation of the two new (proposed) buildings on the site will have a adverse impact on the existing neighboring homes; they are not compatible with the neighboring homes and are not consistent with the character of the surrounding neighborhood.
2. Adequate provision has not been made for an open space configuration that is most appropriate for the site and the surrounding neighborhood.

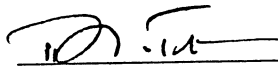
Respectfully submitted,

Kenneth and Deborah Cureton
2000 Russell Road
Alexandria, VA 223301

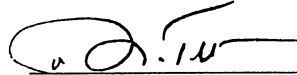
John Stephen Gardner
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Alexandria, VA 22301

Catherine J. Fontaine
208 West Windsor Ave
Alexandria, AV 22301

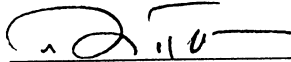
Dennis O'Neil and Nancy Zimler
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Samuel Del Brocco
216 West Windsor Ave
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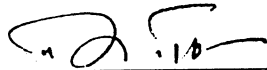


Michael Tuscan and Michael Sweat
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Alexandria, VA 22301



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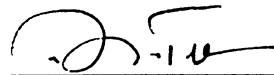
Robert J. Test
Attorney at Law



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703-837-9070
703-837-9758 (Fax)

Certificate of Delivery

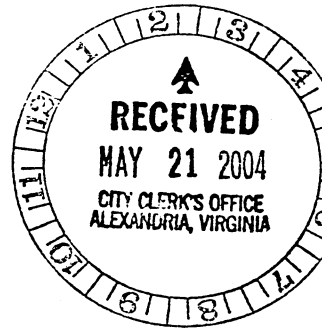
I certify that this Notice of Appeal was hand delivered to the Alexandria City Clerk this 21st day of May, 2004, and a copy was mailed to the Alexandria Department of Planning and Zoning and Harry P. Hart and Mary Catherine H. Gibbs, counsel for the Applicant, 307 North Washington Street, Alexandria, VA 22314.



Robert J. Test

ALEXANDRIA CITY COUNCIL
C/O CITY CLERK
301 KING STREET
ALEXANDRIA, VA 22314

MAY 21, 2004



NOTICE OF APPEAL
FROM
PLANNING COMMISSION DECISION

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We ask that the City Council schedule a *de novo* public hearing to consider the matter in accordance with the regulations of the Alexandria City Code.

Respectfully submitted,

Kenneth and Deborah Cureton
2000 Russell Road
Alexandria, VA 223301

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110 West Bellefonte Ave
Alexandria, VA 22301

Catherine J. Fontaine
208 West Windsor Ave
Alexandria, AV 22301

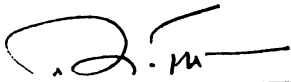
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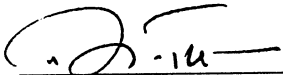
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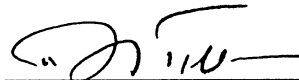
Robert J. Test
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Robert J. Test

RENAISSANCE CUSTOM
COMMUNITIES, LLC
(Russell-Lloyds)

Development Site Plan
#2004-0008

Subdivision
#2003-0011

Docket Items #24-A & B

Planning Commission Meeting
May 4, 2004

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 4, 2004

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

THROUGH: PHILIP SUNDERLAND, CITY MANAGER *PS*

FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING *E. Fogarty*

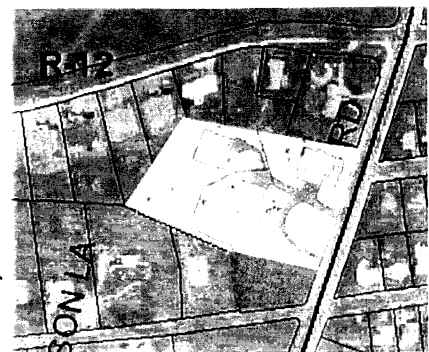
SUBJECT: RUSSELL - LLOYDS LANE (DSP# 2004-0008, SUB # 2003-0011)
APPEAL OF A SITE PLAN AND SUBDIVISION APPROVAL BY THE
PLANNING COMMISSION

I. Appeal:

Robert J. Test, representing nine adjoining property owners, is appealing the May 6, 2004, approvals of a site plan and subdivision by the Planning Commission. *(see attached staff reports)* The proposal is to construct three single-family homes within the current R-12 zoning and to subdivide three lots. The 2.44 acre site is located at the intersection of Lloyds Lane and Russell Road. The appeal does not identify specific areas of concern but rather general issues with the proposal such as, it "will have an adverse impact on the adjoining homes" and the configuration of open space. The Zoning Ordinance requires that adequate provision be made for the elements of the site plan and subdivision that the Commission and staff have found have been addressed as discussed below and within the staff report.

Site Plan Appeal:

A site plan approved by the Planning Commission may be appealed to City Council by an owner of property within 1,000 feet. The Council can affirm, reverse or modify the decision of the Commission.



Subdivision Appeal:

A subdivision approved by the Planning Commission may be appealed to City Council by the owners of at least 20% of the area of land within 300 feet of the proposed subdivision. The Council can affirm, reverse, or modify the decision of the Commission. The appeal meets the minimum criteria for an appeal of the site plan and subdivision plan.

Planning Commission Action:

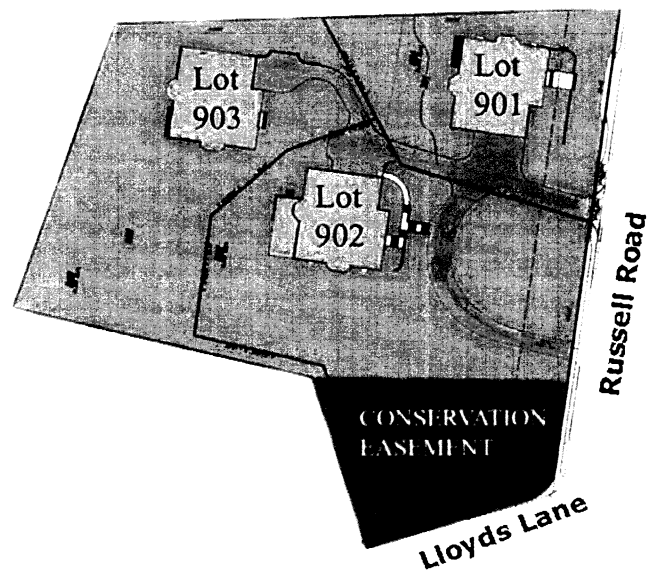
The Planning Commission approved the site plan and subdivision and found the applications in compliance with the current R-12 - single-family zoning requirements, with Sec. 11-400 (site plan requirements) and Sec. 11-1700 (subdivision requirements) and other applicable requirements of the Zoning Ordinance. The Commission also added 68 conditions of approval that address issues of water runoff, orientation of buildings, access, tree preservation, setbacks and compatibility with surrounding residential development. The Commission found that the retention of open space and tree canopy adjacent to Russell Road is consistent with the intent of the Open Space Plan. The Commission also found that the dedication of an open space easement at the corner of Russell Road and Lloyds Lane enabled the long-term retention of open space and trees on Russell Road, consistent with the Open Space Master Plan.

II. Background:

May 4, 2004 Planning Commission Hearing:

At the Planning Commission hearing, there was considerable discussion by the Commission, staff and adjoining residents regarding open space, tree retention compatibility and setbacks. Staff recommended approval of the proposal based on the open space easement, open space and tree retention, compliance with the Zoning Ordinance requirements and consistency with the Open Space Plan. There were seventeen speakers; eight of the speakers testified in support of the application, including the Northridge Citizens Association and nine of the speakers testified in opposition to the proposal.

The speakers in support of the proposed application discussed the positive attributes of the plan that include the open space easement, open space retention, tree retention and lower density than is permitted with the current zoning and generally agreed with the analysis within the staff report.



The speakers in opposition to the proposal raised concerns primarily related to the location of lot 903. The proposed house for lot 903 is located on approximately the same location as the existing tennis court in order to minimize the amount of tree loss and grading on the site. The concerns related to the mass, scale of the proposed home and the proposed setbacks of the proposed home in relation to the adjoining homes on West Windsor Avenue and the home at the corner of Russell Road and Windsor Avenue. One of the speakers also requested an additional front setback for lot 901. Several of the speakers requested deferral of the application to address the issues that had been raised.

The Planning Commission closed the public hearing and recessed the meeting in order to allow staff to provide additional information. The Commission directed the applicant, staff, and adjoining residents to review possible alternatives prior to the Commission's May 6th hearing.

Current Proposal

May 5, 2004 Meeting:

As directed by the Commission, City staff, the applicant, the attorney for the adjoining residents, adjoining residents, a representative from the Northridge Civic Association and a member of the Planning Commission met to discuss possible alternatives to address the concerns that had been raised.



Proposal With House on Russell Road



The first alternative that was discussed was the possibility of relocating the house from lot #903 to the southeast portion of the site adjacent to Russell Road. It was agreed by the group that this area contained a considerable amount of topography and trees that would be negatively impacted by a house in this location. Locating a house on the southeastern portion of the site would result in tall retaining walls and the elimination of the mature trees adjacent to Russell Road, including a 48" caliper tree and numerous other trees that would range from 13"-40" caliper trees. In addition, there is a spring house associated with a historic spring on this property in this area. The spring house dates to the early 20th century.

The second alternative that was discussed was the possibility of shifting the house on lot 903 to the south to increase the setback from the adjoining single-family homes. The applicant proposed a 17.9 ft. setback from the northern property line. It was agreed that significantly increasing the setback on the northern portion of the site would result in the loss of two large (27" and 25" caliper) trees.

house by 12 ft. and shifting the house approximately 5 ft. farther to the south, which is the most the house could be shifted and retain the two large trees. This would result in an increase on the northern property line from 17.9 ft. to 36 ft.

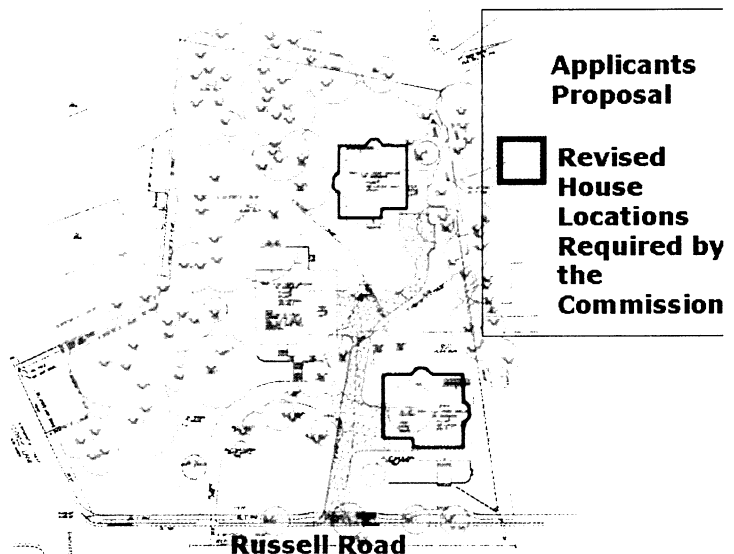
To address the concerns regarding the mass and scale of the buildings and privacy the building for lot 903 would continue to “step-down” to the adjoining home and the windows on the northern facade would be located in a way to provide minimal impacts on the adjoining homes. In addition, to address issues raised by the adjoining resident regarding the setback of the proposed house on Russell Road, the potential for that house to be setback an additional 10 ft. to increase the setback from 42 ft. to 52 ft. was discussed.

Building Step-Down
Adjacent to Single-Family Homes.



May 6, 2004 Planning Commission Hearing:

The Planning Commission approved the site plan because it found that the site plan complies with Sec.11-400 of the Zoning Ordinance and R-12 zoning requirements and also approved the subdivision and found that the subdivision plan complies with Sec. 11-1700 of the Zoning Ordinance. The Commission also found that the alternatives, as a result of the May 5th meeting, such as decreasing the size of the home, increasing the setback, providing a building step-down and the additional front setback for lot 901 addressed many of the concerns raised by the adjoining residents. The Commission did not support relocating the house for lot 903 to the southeastern portion of the site due to the extensive loss of trees and open space on Russell Road. The motion to approve the site plan and the motion for the subdivision approval both carried on a vote of 7 to 0.

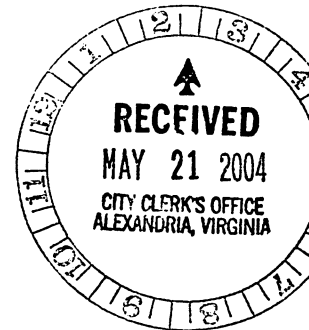


III. Staff Recommendation:

Staff recommends that the Council deny the appeal for the reasons set out above.

ALEXANDRIA CITY COUNCIL
C/O CITY CLERK
301 KING STREET
ALEXANDRIA, VA 22314

MAY 21, 2004



NOTICE OF APPEAL
FROM
PLANNING COMMISSION DECISION

The undersigned, by counsel, hereby note their appeal to the decision of the Alexandria Planning Commission made on May 6, 2004, (docket item number 24, A&B), to approve ~~DSP#2004-1008~~ and Subdivision #2003-0011, at 1900, 1904 and 1910 Russell Road, with conditions.

We ask that the City Council schedule a *de novo* public hearing to consider the matter in accordance with the regulations of the Alexandria City Code.

Respectfully submitted,

Kenneth and Deborah Cureton
2000 Russell Road
Alexandria, VA 223301

John Stephen Gardner
110 West Bellefonte Ave
Alexandria, VA 22301

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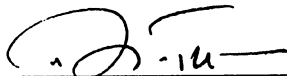
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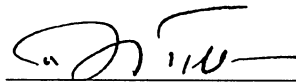
Robert J. Test
Attorney at Law



918 Prince Street
Alexandria, VA 22314
703-837-9070
703-837-9758 (Fax)

Certificate of Delivery

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Robert J. Test

ALEXANDRIA CITY COUNCIL
C/O CITY CLERK
301 KING STREET
ALEXANDRIA, VA 22314

MAY 21, 2004



NOTICE OF APPEAL
FROM
PLANNING COMMISSION DECISION
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PRELIMINARY SITE PLAN

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The appellants, owners of property within 1,000 feet of the site plan property, state the following as grounds for appeal:

1. The size, location and orientation of the two new (proposed) buildings on the site will have a adverse impact on the existing neighboring homes; they are not compatible with the neighboring homes and are not consistent with the character of the surrounding neighborhood.
2. Adequate provision has not been made for an open space configuration that is most appropriate for the site and the surrounding neighborhood.

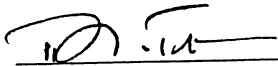
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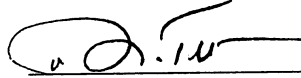
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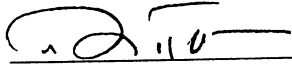
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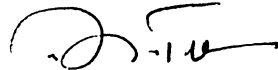
Robert J. Test
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Robert J. Test

City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 6, 2004

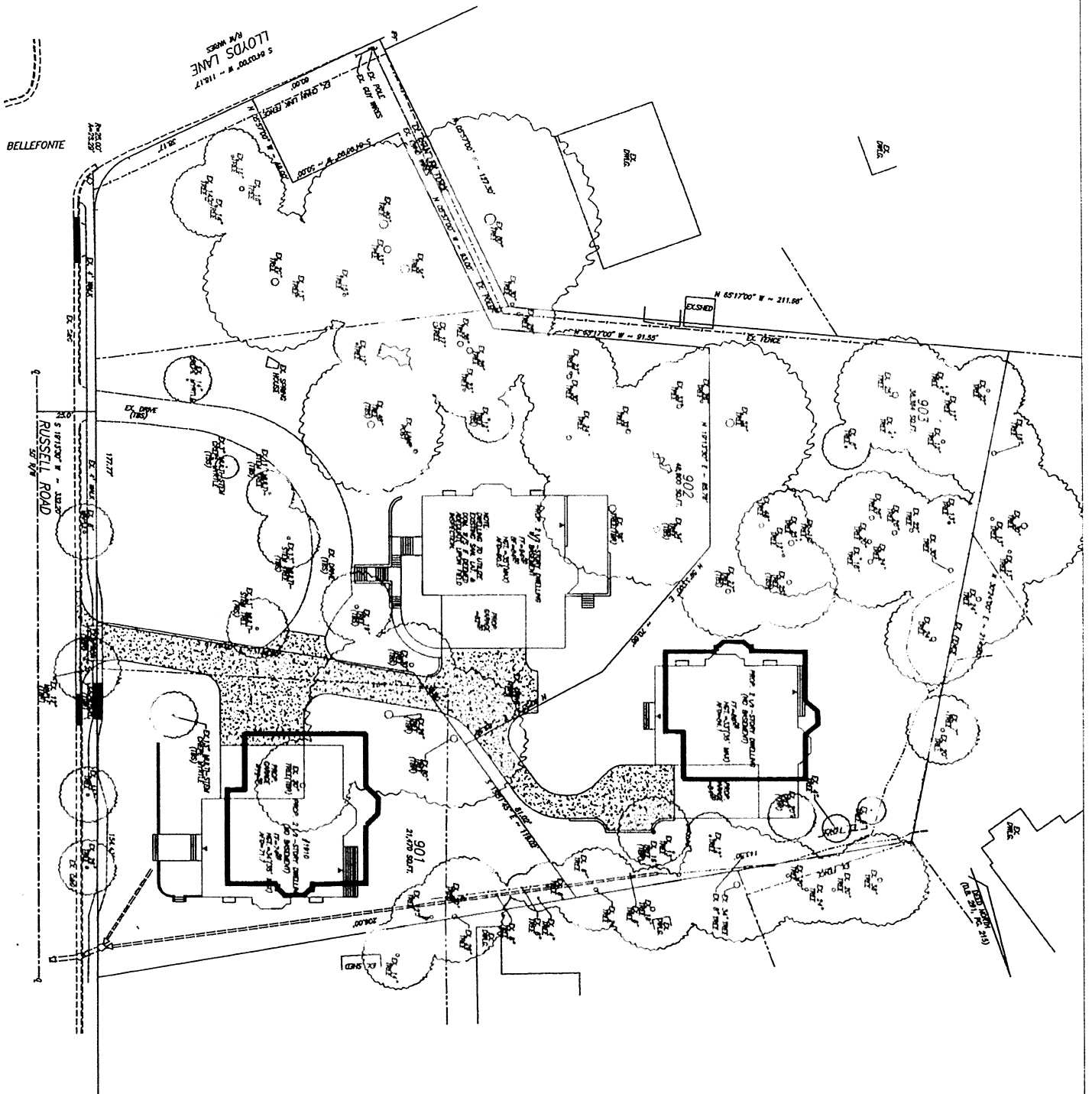
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING 

SUBJECT: REVISED CONDITIONS #7, #8 AND #9 FOR 1904 RUSSELL ROAD
(DSP#2004-0008)

Enclosed are draft conditions that reflect the May 5, 2004 meeting with the City, adjoining residents and applicant that provide increased setbacks for lot 903 and lot 901, reduction of house size for lot 903 and revisions to the building design to reduce the perceived mass and scale of the home on lot 903.

1. The site plan shall be revised in consultation with the adjoining residents, to the satisfaction of the Director of P&Z to provide the following:
 - a. The width of the house for lot 903 shall be decreased 12 ft. and the house shall be located approximately 6 ft. to the south as generally depicted in Attachment #1, which shall be permitted to provide the following:
 - i. The northern setback for lot 903 shall be increased from 17.9 ft. to 36 ft. from the northern property line.
 - ii. The western setback shall be increased as generally depicted in Attachment #1.
 - iii. The applicant shall only be permitted to remove the two adjacent trees (25" and 27" caliper trees) if it's determined by the Departments of P&Z and RP&CA that the trees will not survive; however the applicant shall retain the 16" and 20" caliper trees on the northern portion of the site that are depicted to be removed on the preliminary site plan. (P&Z, RP&CA)
2. The design of the house for lot 903 shall be revised to the satisfaction of the Director of P&Z to provide the following:
 - a. The roof, form, type and design shall be designed to reduce the perceived mass and scale consistent with the architectural design of the house.
 - b. The type, size, location of windows on the northern facade shall be revised to provide minimal impacts on the adjoining residents. (P&Z)
3. The house (lot 901) on Russell Road shall provide an increased front yard setback from 42 ft. to 52 ft. from the property line and shall be shifted further to the southwest to the extent feasible as determined by the Directors of P&Z and Code Enforcement. (P&Z)



HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

TELEPHONE (703) 836-5757
FAX (703) 548-5443
hcgk.law@verizon.net

OF COUNSEL
CYRIL D. CALLEY

RETIRED
ROBERT L. MURPHY, 2001

May 6, 2004

Mr. Eric Wagner, Chairman and
Members of Planning Commission
c/o Ms. Eileen Fogarty, Director
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Docket Item No. 24 A&B, DSP#2004-0008, Subdivision #2003-0011
1900, 1904 and 1910 Russell Road

Dear Mr. Wagner:

Since our presentation on Tuesday night was planned to be as brief as possible, we did not give you a description of the quality of the Applicant, Renaissance Custom Homes, nor did we outline the background of this application before you. Let us briefly do that in writing for your consideration.

Renaissance is Northern Virginia's leading builder of estate, executive and custom homes. The company has been in business for over twenty years building primarily in Fairfax County. The Russell Road Community will be their first of hopefully many communities in the City of Alexandria.

Renaissance has built its reputation with a focus on unparalleled design, quality and customer satisfaction. Renaissance's unwavering integrity and attention to detail have earned the company the most prestigious awards in the industry. In 1999, the National Association of Home Builders recognized Renaissance with the coveted award - "America's Best Builder". In 2000, the Northern Virginia Building Industry Association named Renaissance "Builder of the Year". More than twenty times, the company has been honored with the "Finest for Family Living" award for its excellence in architectural design.

With respect to the background of this application, during the summer of 2003, Renaissance began discussions with City Staff regarding the future of the Russell Road property they had purchased. While the potential subdivision into seven lots was discussed, Renaissance determined that the process and development of this property should be done in a way that did not require subdivision or site plan, i.e., with the two existing vacant lots on the property and a remodel of the existing home. The determination was made to proceed with a plot plan for the existing lot at 1910 Russell Road first. This was done in September 2003. Staff prevailed upon the Applicant to dedicate a conservation easement on the existing lot at the corner of Russell

Mr. Eric Wagner, Chairman and
Members of Planning Commission
c/o Ms. Eileen Fogarty, Director
May 6, 2004
Page 2 of 3

Road and Lloyds Lane and to thus re-subdivide the property to replace the house on the corner lot with a house in the rear of the center lot. The idea was to preserve as many trees on the entire property as possible. Renaissance agreed to pursue this course with the understanding that it could proceed with the development of 1910 Russell Road either way as soon as the Planning Commission held its site plan/subdivision public hearing.


The plot plan application for 1910 Russell Road had been filed not as part of a coordinated plan to develop three homes, but as a plan to develop a home on one lot that would be developed in the same fashion whether the existing lots remained or if the re-subdivision was approved. Staff consistently supported this position because the alternative with the existing lots was not the contemporaneous development of three dwelling units, but the development of at the most two dwelling units and the continuation of the existing unit.

The submission of the subdivision application was primarily treated by the Applicant as the agreement to a Staff proposal. Therefore, our presentation was very brief on Tuesday night. What is important from our standpoint is timing and we would respectfully request that the Planning Commission act on our application tonight so that the development of at least 1904 and 1910 Russell Road can commence promptly. We note that this is also in keeping with the express position of the neighbors on Windsor Avenue.

We would ask that the Planning Commission pass a motion to approve the subdivision and preliminary site plan application with the conditions amended as agreed to between the Staff and the Applicant detailed in our letter dated May 4, 2004. In addition, we would ask that you change the two conditions we have also requested in that letter to which the Staff does not agree. We recognize that Staff has suggested additional conditions in their memorandum to the Planning Commission of today's date. We believe the removal of 12 feet from the proposed home on Lot 903 is unnecessarily harmful to the design of the home for a number of reasons and doesn't bring about the agreement of the adjacent homeowners in any event. It is important to note that Renaissance would agree to set back the house 25 feet from its north lot line. This is ten feet beyond what the Zoning Ordinance requires and would place the shortest side of the home, ie., the garage, 25 feet from the side property line and approximately 80 feet or more from all but one of the adjacent houses.

We ask that the Planning Commission simply approve this application tonight in the manner in which it feels appropriate so that this development may proceed in a timely fashion.

Very truly yours,



Harry P. Hart

cc: Mr. William Gross, Renaissance Custom Communities

Docket # 24A+1

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
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OF COUNSEL
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RETIRE
ROBERT L. MURPHY, 2001

May 4, 2004

Mr. Eric Wagner, Chairman and
Members of Planning Commission
c/o Ms. Eileen Fogarty, Director
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Docket Item No. 24 A&B, DSP#2004-0008, Subdivision #2003-0011
1900, 1904 and 1910 Russell Road

Dear Mr. Wagner:

Pursuant to discussions between us on behalf of the Applicant, Renaissance Custom Communities, and the Planning and Zoning Staff on Friday, April 30, 2004, the following lists the conditions which the staff has agreed to amend for the above referenced project on your docket for May 4, 2004. We have also listed the remaining conditions the Applicant would like amended to which Staff has not agreed.

I. Agreed Amendments to Conditions:

Condition No. 2.

The proposed front sidewalk for lot 902 shall be relocated to the south to be located entirely outside of the dripline for the 19" caliper tree that is to be retained to the extent possible. (P&Z)

Condition No. 3.

(b) The applicant shall reimburse the owners of lot 800A (TM#34.03-06-04), lot 901 (TM#34.03-06-02), lot 902 (TM#34.03-06-01) and lot 506(TM#34.03-06-11) for the cost of installation of provide additional trees/landscaping on the adjoining lots if agreed upon by the adjoining property owners that at a minimum shall consist of the following:

- i. 6-7 additional native evergreen and deciduous trees and/or landscaping on each of the following lots: lot 800A (TM#34.03-06-04) and lot 901 (TM# 34.03-06-02) lot 902 (TM#34.03-06-01) and lot 506(TM#34.03-06-11).

Mr. Eric Wagner, Chairman and
Members of Planning Commission
c/o Ms. Eileen Fogarty, Director
May 4, 2004
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- ii. The reimbursement cost shall not exceed \$2500.00 for each lot and shall consist of deciduous trees at a minimum of 2-2.5" caliper and evergreen trees between 8-10 ft. tall at the time of installation.

(c) ~~A bond for all existing trees and landscaping designated to be retained, in an amount determined by the Director of Parks, Recreation and Cultural Activities, and for 100% of the cost of trees and landscaping required to be installed and retained, shall be provided and maintained for a period of five years.~~

Condition No. 5.

The open space conservation easement that covers a portion of lot 902 and lot 903, as depicted on the site plan, shall be recorded as an open space conservation easement to the satisfaction of the City Attorney. The open space easement shall prohibit construction or placement of structures or accessory structures including but not limited to, buildings, structures and fencing. The plat and easement language for the open space easement shall be approved by the Directors of P&Z, RP&CA and the City Attorney and recorded among the land records prior to release of the first building permits for lots 902 and 903. Maintenance of the open space easement shall be the responsibility of the owners of lots 902 and lot 903.

a. Except as may be necessary for the prevention or treatment of disease, the owner may remove dead or damaged trees, but only after consultation with the City of Alexandria Arborist. No mature trees shall be removed from the Conservation/Open Area. Supplemental tree plantings may be provided within the Conservation Area Easement, but shall consist of native species as identified by the City Arborist. (P&Z)

Condition No. 6.

A perpetual ~~18'~~ wide private access easement shall be recorded by the applicant for the entire portion of the internal access street. The easement shall be recorded prior to the first certificate of occupancy permit. The easement shall provide vehicular and pedestrian access for lots 902 and 903. (P&Z)

Condition No. 7.

The driveways (excluding the internal street) shall be constructed of decorative porous pavers ~~to the satisfaction of~~ in consultation with the Directors of P&Z and T&ES. (P&Z)

Condition No. 8.

The final architectural elevations shall be consistent with the level of quality and detail provided in the preliminary architectural elevations. In addition, the buildings shall provide the following to the satisfaction of the Director of P&Z.

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- a. The primary materials for each of the facades (front, sides and rear) of the units shall be limited to brick, stone or cementitious siding or wood.
- b. Architectural elevations (front, side and rear) shall be submitted with the final site plan. Each elevation shall indicate average finished grade.
- c. The proposed retaining walls shall be masonry or stone veneer. (P&Z)

Condition No. 9.

Front yard fences shall be limited to a maximum height of 3.5 ft. and shall be limited to a decorative open style metal fence or painted wooden picket fence to the satisfaction of the Director of P&Z. A detail of all fences shall be provided on the final site plan.

Condition No. 16.

Each of the three parcels shall be one hundred feet in width at the minimum building lines. The internal private street shall be located on a separate lot, exclusive of the proposed lot areas required for lots 901 and 903 to the satisfaction of the Director of P&Z.

Condition No. 17.

The fire apparatus turn-around must be clearly delineated on the final site plan, and the fire access easement shall be a minimum of eighteen (18) feet in width or such lesser width to the satisfaction of the Director of Code Enforcement. (Code)

Condition No. 19.

The applicant shall record the ~~eighteen (18) foot wide~~ fire access easement in the land records. (Code)

Condition No. 20.

Revise the water quality measures to include alternate BMP measures that may be approved through enhanced landscaping using natural planting consistent with the landscape plan submitted within the final site plan subject to the satisfaction of the Directors of P&Z, RP&CA and T&ES. Bio-retention areas shall be removed ~~not be located within the front yard of lot 901 or lot 902.~~ (P&Z)

Condition No. 38.

Under ADA guidelines, developers and property owners are required to comply with the ADA guidelines whenever there is major reconstruction or renovation or new construction on their property. The developer shall be required to install-reimburse the City for the cost of installation

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of a passenger loading platform between the curb and the sidewalk at the bus stop located on the west side of the 1900 block of Russell Road at W. Howell Avenue, the sum not to exceed \$500.00. Because the sidewalk meanders around a tree near that bus stop location, the width of the grass planter strip has a varying width. It is estimated that the average width of the planter strip at that location is approximately 2.5 feet wide. The size of the passenger loading platform should be about 2.5' wide by 6' long or approximately 15 square feet in Area. (Transit)

Condition No. 55.

Prior to the release of the first certificate of occupancy for the project, the City Attorney shall review and approve the language of the Homeowner's Agreement Association (HOA) Documents to ensure that ~~it~~ they conveys to future homeowners the requirements of this development site plan, including the restrictions listed below. The HOA language shall establish and clearly explain that these conditions cannot be changed except by an amendment to this site plan approved by the Planning Commission.

- a. Individual garages may be utilized only for parking; storage which interferes with the use of the garages for vehicle parking is prohibited.
- b. Vehicles shall not be permitted to park on any emergency vehicle easement. ~~The Homeowner's Association shall maintain a contract with a private towing company to immediately remove any vehicles violating this condition.~~
- c. All landscaping and screening shown on the final landscaping plan shall be maintained in good condition and may not be reduced without approval of the Planning Commission or the Director of Planning and Zoning, as determined by the Director of Planning and Zoning.
- d. The Homeowners Association documents shall disclose to all prospective buyer(s), through the sales literature and documents, sales contracts etc. ~~that,~~ the internal access easement for the street and the potential liability.
- e. The landscaping required as part of the water quality enhancements shall be maintained by the individual homeowner, and shall not be revised, altered or eliminated without approval by the Planning Commission.
- f. For lot 902 and lot 903 the open space conservation easement on the southern portion of the lots, and restrictions of the easement.
- g. No ground disturbing activity shall occur within the drip-line area of trees to be protected except as generally depicted on the site plan. (P&Z)

II. Remaining Issues:

Condition No. 3 – Staff has agreed to delete the language in Condition No. 3 (c) that has been crossed out below, but the Applicant further wishes to change the number of years they are required to maintain the bond from five years to two years, so the Applicant would suggest the condition read as follows:

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(c) A bond ~~for all existing trees and landscaping designated to be retained, in an amount determined by the Director of Parks, Recreation and Cultural Activities, and~~ for 100% of the cost of trees and landscaping required to be installed and retained, shall be provided and maintained for a period of ~~five~~ two years.

Condition No. 4. – Renaissance firmly believes that the significant trees on this site are greater than 24 inches in caliper and amending the condition to preserve trees 24 inches in caliper and above sufficiently protects the wooded area on this site outside of the open space conservation easement. It is important to note that the open space conservation easement on the corner of Russell Road and Lloyds Lane protects significant tree cover in perpetuity regardless of the size of the tree. As a result, Renaissance would suggest the condition read as follows:

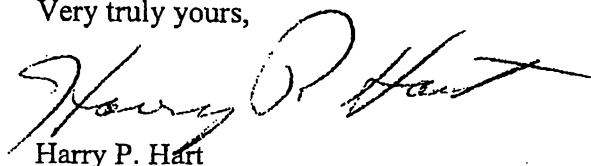
All trees greater than ~~12~~ 24" caliper outside the limits of disturbance as depicted on the preliminary plan shall be retained during construction and by the subsequent homeowners of each lot unless:

- a. the City Arborist finds the trees are necessary to be removed due to health or safety reasons; or
- b. Subsequent approval by the Planning Commission.

If any of the larger caliper trees (> ~~12~~ 24) are damaged or destroyed during the construction process the applicant shall replace the tree(s) with the largest caliper tree(s) of comparable species that are available to the satisfaction of the City Arborist and Director of P&Z; the remaining tree caliper shall be planted on-site or adjacent to the site. In addition, a fine will be paid by the applicant in an amount not to exceed \$5,000 for each tree that is destroyed if the approved tree protection methods have not been followed. The replacement trees shall be installed and if applicable the fine shall be paid prior to the issuance of the last certificate of occupancy permit.(P&Z)

Renaissance looks forward to continuing to work with the City towards the successful dedication of a conservation easement on this property and the re-subdivision of the remaining property.

Very truly yours,



Harry P. Hart

cc: Mr. William Gross, Renaissance Custom Communities

Docket Item #24-A & B
DEVELOPMENT SITE PLAN #2004-0008 (B)
SUBDIVISION #2003-0011 (A)
RENAISSANCE CUSTOM COMMUNITIES, LLC

Planning Commission Meeting
May 4, 2004

ISSUE: Consideration of a request for a development site plan and subdivision for construction of three single family detached homes at the northwest corner of Russell Road and Lloyds Lane.

APPLICANT: Renaissance Custom Communities, LLC
by Harry P. Hart, attorney

LOCATION: 1900, 1904 and 1910 Russell Road

ZONE: R-12/Single-Family Residential

Site Plan Case

PLANNING COMMISSION ACTION, MAY 6, 2004: On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to approve the development site plan subject to all applicable codes and ordinances and staff recommendations, and amendments to conditions #2, #3, #5, #6, #7, #8, #9, #16, #17, #19, #20, #38, and #55, and the addition of new conditions #64, #65, #66, #67, and #68. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission approved the site plan and found the plan in compliance with Sec. 11-400 of the Zoning Ordinance. The Commission agreed with the staff analysis and recommendations which addressed the issues of water runoff, orientation of buildings, access, traffic, tree preservation, set backs and compatibility with surrounding residential development.

The Commission found that the retention of open space and tree canopy adjacent to Russell Road are consistent with the Open Space Plan. The Commission also found that the dedication of the open space easement at the corner of Russell Road and Lloyds Lane enabled the long-term retention of open space and trees on Russell Road, a goal of the Open Space Master Plan. The Commission included conditions such as decreasing the size of the unit for lot 903 and locating the unit farther away from the homes on Windsor Avenue, increasing the setback for the lot 901 on Russell Road, providing additional landscaping and architectural treatment for the homes to address the concerns that were raised by some of the adjoining residents.

Subdivision

PLANNING COMMISSION ACTION, MAY 6, 2004: On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to approve the subdivision subject to all applicable codes and ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis and found that the proposal met the requirements of Section 11-1700 of the Zoning Ordinance.

Speakers (Site Plan and Subdivision):

Mr. Harry S. Hart, attorney, representing the applicant spoke regarding the May 4th memorandum he submitted, and the amendments to the conditions he proposed.

Mr. Robert J. Test, attorney, representing the neighbors on West Windsor Drive spoke in favor of a 30 day deferral to the application to review other alternatives.

Site Plan and Subdivision Case

PLANNING COMMISSION ACTION, MAY 4, 2004: The Planning Commission closed the public hearing to allow staff to provide additional information and to take final action on the application at the regularly scheduled May 6, 2004 hearing. The Commission directed the applicant, staff, the applicant's engineer, and the West Windsor Street neighborhood's attorney to review possible alternatives to the site plan, including reducing the size of the homes on Lot 901 and Lot 903 and moving the structure farther away from the adjoining single-family homes. The Commission also requested additional clarification at the following hearing from the City Attorney regarding the consequences of the plan being approved or denied, including how an appeal by the neighbors would be reviewed, and how the issue of the plot plan submission should be handled in relation to the overall site plan submission.

Speakers (Site Plan and Subdivision):

Mr. Harry S. Hart, attorney, representing the applicant.

Anne Marie Hay, 212 West Windsor Avenue, spoke against the application. She believes the stream is too close to the proposed homes, and that there is a possibility to rearrange the lots on site to satisfy the neighbors on Windsor Avenue.

Mary L. Fawcett, 108 W. Howell Avenue, spoke in favor of the application. She does not want more driveways located on Russell Road if at all possible.

Kenyon Larsen, 107 W. Howell Avenue, spoke in favor of the application. He wants open space on the northwest corner of Russell and Lloyds retained or site converted to a pocket park and does not believe tree caliper size in the development conditions should be reduced.

Michael Foore, 106 W. Howell Avenue, spoke in favor of the application. His primary concerns are traffic and wildlife. Mr. Foore requested that foxes habitat to be maintained or relocated if necessary. He would like to be notified of the meeting regarding condition #10 when it occurs.

James L. Field, 224 W. Windsor Avenue, spoke in opposition to the development. He disagrees with the location of the northwestern most house and stated that it is too close to his property line. He requested that the Commission defer the application in order to give him time to hire his own engineer to develop an alternate plan that makes more sense to him and his neighbors.

Peter Stackhouse, 219 Lloyds Lane, spoke in favor of the application. He felt that the plan is good if three homes are to be built.

Ken Cureton, 2000 Russell Road, spoke in opposition to the project. He would like the bay windows on the front most house to be removed from the second floor of the northeastern most house. He opposes the location of the proposed house on the northeast corner stating it should be shifted further south to maintain community character.

Nancy Zimler, 210 W. Windsor Avenue, spoke in opposition to the project. She objected to the mass and scale of the project. She believes the northwestern most house will overshadow her home which is located north of the site.

Janice Shafer, 216 W. Windsor Avenue, spoke in opposition to the project. Ms. Shafer believes that she was not informed early enough of the project and stated that every plan that shows open space is not necessarily a good plan. She requested a deferral in order to study the plan and possibly come up with a revised plan.

Sam Del Brocco, 216 W. Windsor Avenue, spoke in opposition to the project. Mr. Brocco believes that he was not informed early enough of the project, and therefore the application should be deferred. A revised plan could have just as much open space as the proposed plan. He encouraged the Commission to defer the application until a revised plan could be submitted.

Katy Cannady, 20 East Oak Street, spoke in opposition to the project. She believes that this plan should be deferred until Council can place properties on the City's acquisition list for open space.

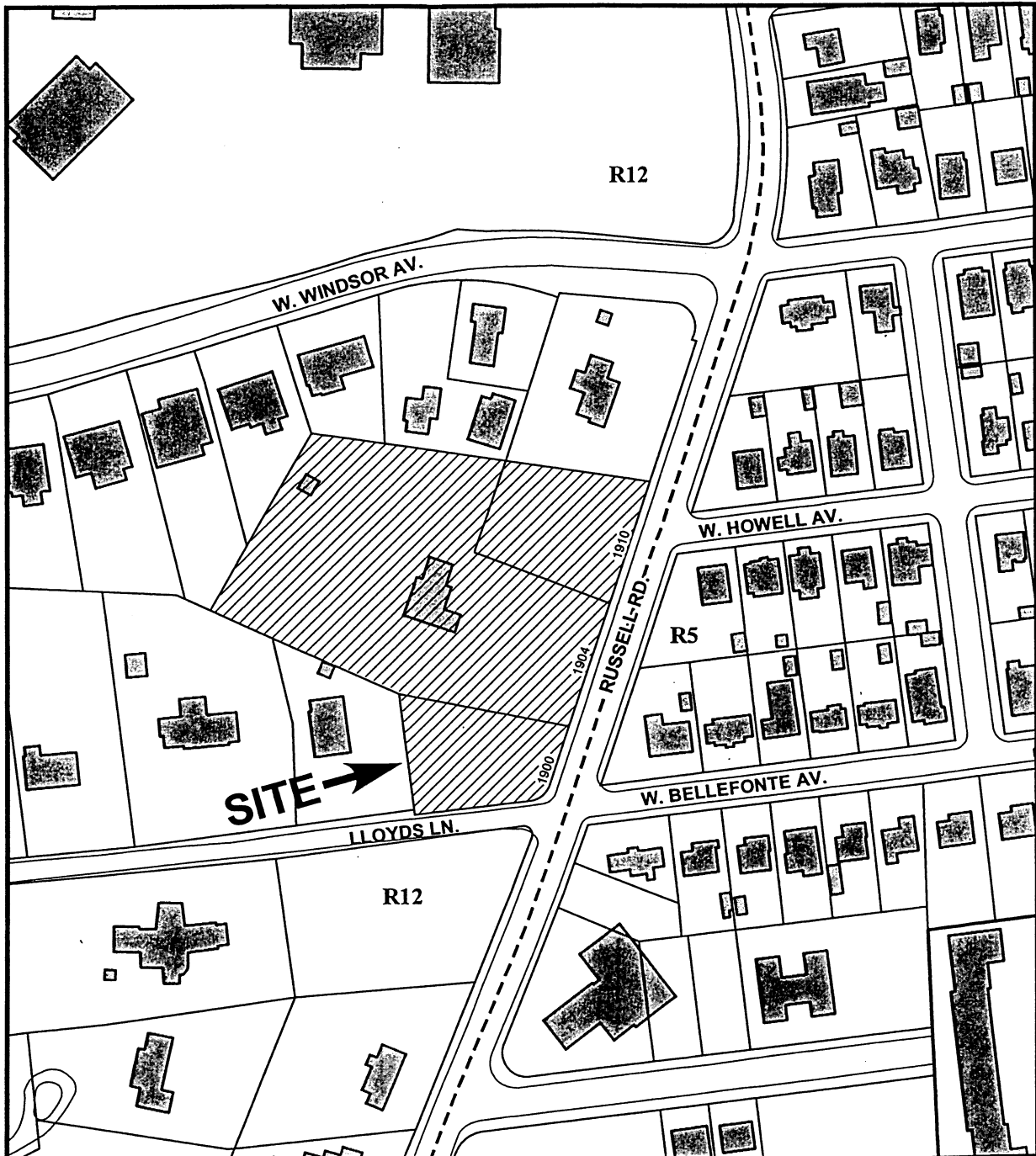
David W. Brown, 503 Woodland Terrace and representing the Northridge Citizens Association, spoke in favor of the application and presented a letter to the Commission, Mr. Hart, and staff regarding the project. Mr. Brown stated that the citizens association is in favor of the application as presented with three conditions. First, that building be limited to footprints shown on plan, that the applicant build the step down of the home as depicted in the staff report, and third that privacy be enhanced for Mr. Cureton to include the removal of the bay window projection from the northeast house and the inclusion of an additional buffer area.

Barbara P. Harslem, 113 W. Bellefonte Avenue, spoke in favor of the application. She stated that this is a neighborhood undergoing change and wants to keep driveways away from the intersection of Russell and Lloyds. Ms. Harslem was in favor of the plan as shown.

Bob Cooper, 207 Lloyds Lane, spoke in favor of the application.

John S. Gardner, 110 W. Bellefonte Avenue, spoke in opposition of the plan. Mr. Gardner stated that he doubts the applicant could construct seven homes on the site due to topography, and that the maximum number of homes should be two.

Robert Test, 918 Prince Street, attorney representing neighbors on West Windsor Avenue. He states that it is the Commission's responsibility to "do no harm". He believes this application does harm to the surrounding community. The stream on site causes problems in his estimation and therefore requests deferral.



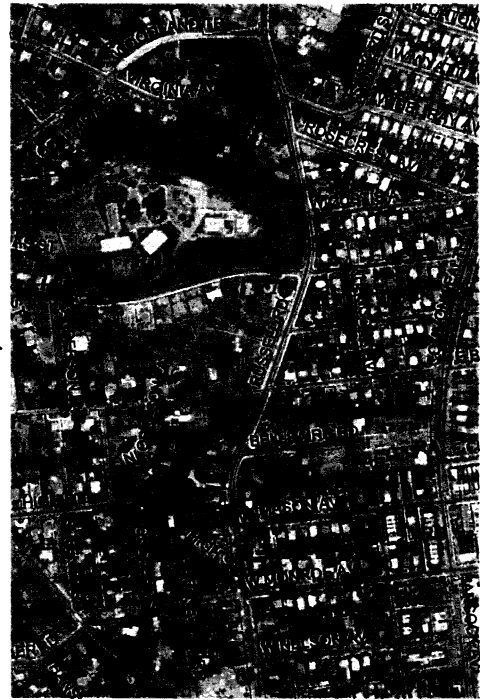
DSP #2004-0008
SUB #2003-0011

05/04/04



I. EXECUTIVE SUMMARY:

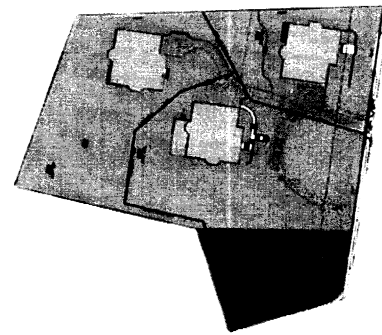
Staff recommends approval of the proposed site plan and subdivision to construct three single-family homes on this 2.44 acre wooded site, located at the corner of Russell Road and Lloyds Lane. The site currently contains one single-family home with a tennis court located in the central portion of the site. There are numerous mature trees throughout the site, particularly in the southern and central portion of the site adjacent to Lloyds Lane. The site has three recorded lots of record that include one lot adjacent to Lloyds Lane, one roughly where the current house is located and one on the northeastern portion of the site fronting on Russell Road. Development of the three existing lots would result in extensive grading, loss of many trees and open space. The proposed site plan and resubdivision enables the units to be located in a manner that retains the large mature trees and minimizes grading. Access to the homes will be provided by the existing driveway on the northern portion of the site to further minimize paving.



Aerial Photograph of site area

Staff recommends approval of the proposal for the following reasons:

- The homes and internal driveway have been located to minimize loss of trees and site grading;
- The proposal retains a significant amount (79%) of the site area in its natural state and retains a significant number of mature trees;
- A 15,862 sq. ft. open space easement will be provided at the corner of Russell Road and Lloyds Lane to ensure that this corner remains open in perpetuity;
- The intermittent stream on the northern portion of the site will be enhanced and augmented with native trees and landscaping;
- Subdivision restrictions will be placed on the property that will preclude future subdivision of the property;
- The open space and trees on the site will have long-term protection;
- The proposal consists of four fewer units than are permitted by the R-12 zoning; and



Site Plan with Conservation Area



Lloyds Lane

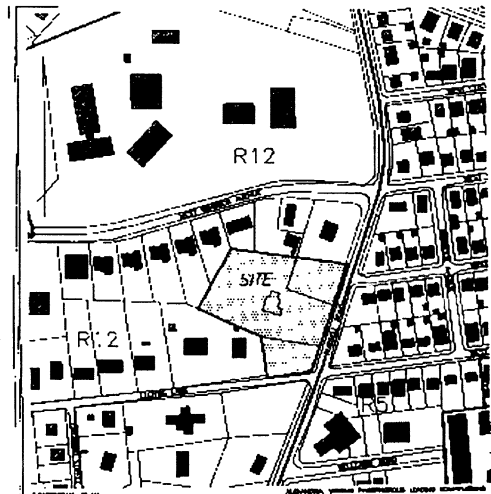
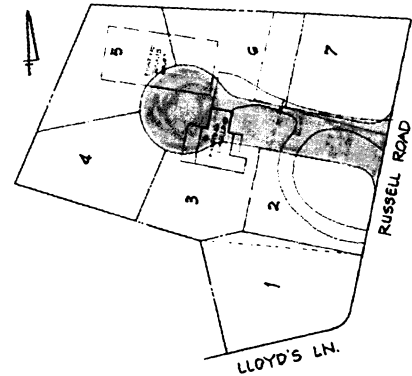
- Retention of open space and mature trees on Russell Road is consistent with the intent of the Open Space Plan

Site History

The applicant initially approached the City several months ago, stating that they had purchased the site and intended to construct seven single-family homes. These new homes would be accessed from a new internal cul-de-sac street. This proposal would have required extensive grading and resulted in the elimination of almost all of the existing mature trees and open space. Although the proposal complied with the current R-12 zoning, the City was very concerned that the proposed seven lot development would significantly alter the character of the neighborhood.

The site contains three existing lots of record, which require only building permits to construct three homes. Constructing homes on the three existing lots of record would result in extensive grading for the lot at the corner of Russell Road and Lloyds Lane and the removal of numerous mature trees that range in caliper size from 14 to 40 inches. The City requested that the applicant explore alternatives to both the seven lot proposed subdivision and construction on the three existing lots of record.

The applicant indicated that they believed that with the use of tax credits they could reduce the density from the seven lot development initially proposed, to a three lot proposal. In addition, the applicant indicated that by locating one of the proposed homes on the tennis court, the large trees at the corner of Russell Road and Lloyds Lane could be retained. The applicant agreed to proceed with the current site plan and subdivision for the site due to the desire expressed by the City regarding the Open Space Plan and tree retention.



Area of proposed conservation easement

The applicant is also proposing a 15,862 sq.ft. conservation-open space easement at the corner of Russell Road and Lloyds Lane. The current proposal retains 79% of the site, retains most of the existing trees and proposes four less units than are permitted with the current R-12 zoning.

Open Space/Tree Preservation

The initial seven lot site plan is the least desirable option from the City's perspective as it would destroy the existing wooded and natural character of the site. Permitting the construction of the three homes on the existing lots would also result in excessive grading, and the loss of numerous mature trees including the trees at the corner of Russell and Lloyds Lane. These include several 30 to 40 inch caliper trees and would possibly result in the loss of a 60 inch caliper tree located off-site. The loss of these trees and open space would alter the natural and open space character of Russell Road. The Open Space Plan identifies Russell Road as one of the streets where open space and mature trees should be retained.

Community Comments

In meetings with the adjoining residents and the Northridge Citizens Association, the community expressed general support for the fact that the applicant is developing at a lower density than permitted within the zone along with greater open space and tree retention.

The Northridge Civic Association has recommended conditional support of the proposal.

However, some of the adjoining residents have expressed concern regarding the setback and height of the proposed home on the northwestern portion of lot 903. Staff is recommending that a significant amount of on-site and off-site landscaping and screening be installed adjacent to the adjoining homes on the northern portion of the site.

Conclusion

Staff recommends **approval** with the recommendations of approval as outlined within the staff report.

II. BACKGROUND:

This site is one of the larger properties within the City where the existing zoning permits more development than exists on the site today. The reason that many of these sites have remained undeveloped is that these lots typically contain steep topography and are awkward in shape or size making them more challenging to develop.

This site presents numerous opportunities and challenges. The opportunities include the possibility of retaining the mature trees and open space on the site and creating homes of high quality design and materials that are consistent with the adjoining neighborhoods of Northridge and Del Ray. The challenges for the site are that there are three lots of record, steep topography and numerous mature trees on the site. The City's Open Space Steering committee is currently evaluating this site along with many others in the City to identify future open space opportunities.

The other challenge for the site was to ensure that the proposed plan is consistent with the City's Open Space Plan. The plan recommends retention of exiting mature tree canopy in the City and also discusses the importance of streets as contributing elements to the open space and openness of the City in places such as Russell Road.



Context Map



View from Lloyds Lane

III. PROJECT DESCRIPTION:

The site is located at the northwest intersection of Russell and Lloyds Lane. The existing site contains one single-family detached home and a tennis court. Each of these structures will be removed as a part of this project. The change in topography is considerable for the site with nearly a 65 ft. change in elevation from the northern to the southern portion of the site. The zoning for the site is R-12, which is primarily a single-family zone that requires minimum 12,000 square foot lots. The site is adjacent to single-family homes that are zoned R-12 or single family, as well as R-5 zoned single-family. The proposal is a site plan and subdivision in order to construct three new single-family detached homes.



View south showing site topography

The proposed lots range from 21,470 sq.ft. to 48,600 square feet. The two houses are large single-family homes 2-2.5 stories in height. The three homes will be accessed from one internal private driveway, that is an extension of the existing driveway. A portion of the internal private driveway will also be used as an emergency vehicle easement. Each home includes a garage with at least two additional parking spaces in the driveway. The style, character and configuration proposed for the homes is typical of the traditional homes in Alexandria.

IV. ZONING:

The zoning for the site is R-12/ Single Family Residential, which is intended to provide and maintain land areas for low density residential neighborhoods of single family homes on minimum 12,000 square foot lots. The zoning table below outlines the requirements of the R-12 zoning district as it relates to this property.

RUSSELL ROAD/LLOYDS LANE		
Property Address:	1900, 1904, 1910 Russell Road	
Total Site Area:	106,424 square feet (2.44 acres)	
Zone:	R-12	
Current Use:	Single Family Residential	
Proposed Use:	Single Family Residential	
	<u>Permitted/Required</u>	<u>Proposed</u>
FAR	.3	.3 maximum
Yards	Front-35'	Lot 901- 44' Lot 902- 138' Lot 903- N/A
	Side- 1:2 ratio and 10' minimum	Lot 901- 16' and 36' Lot 902 - 16' and 66' Lot 903 - 17.9', 53' and 15'
	Rear - 1:1 ratio and 25' minimum	Lot 901 - 42' Lot 902 - 55' Lot 903 - 48.5'
Height	35 feet maximum	Lot 901- 34 feet Lot 902- 35 feet Lot 903- 33 feet

V. STAFF ANALYSIS:

To ensure that the proposed plan is compatible with the existing mature character of the adjoining neighborhood and the Open Space Plan, the primary areas of focus have been the retention of the mature trees, locating the homes to minimize the loss of open space, retaining the existing “openness” on Russell Road, and ensuring that the houses are designed to be compatible with the traditional character of the neighborhood.

The applicant has provided an open space easement at the corner of Russell Road and Lloyds Lane as discussed in more detail below, which will enable the mature trees and open space to be retained in perpetuity. In addition, to ensure that the larger trees, outside the easement area are retained, staff has included a recommendation that requires the trees be retained by the developer during construction and by the future homeowners.

Given the significant constraints of steep grades, open space, and large trees, the applicant has responded positively in addressing these site constraints. The plan retains 80% of the site in its natural state. In addition, staff is recommending that a condition that will preclude future subdivision of the site. Although three large mature trees will be removed and/or impacted, the site is being developed with fewer units than what is permitted under R-12 zoning, thereby reducing the need for severe regrading and tree loss. Staff is also recommending that the plan incorporate elements to enhance the existing environmental characteristics of the site such as the intermittent stream, water quality enhancements and ways to reduce impervious areas.

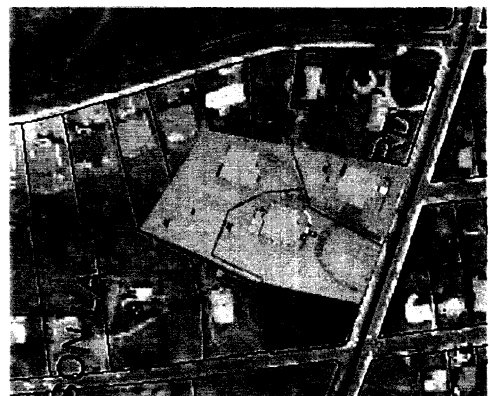
The Northridge Civic Association has recommended conditional approval of the proposed site plan due to the desirable elements of the plan such as the retention of open space, trees and the fact that the applicant is proposing less density than is permitted within the zone.

Several adjoining residents have raised concern that the home for lot 903 should be relocated to increase the setbacks to the adjoining single-family homes.

The home as depicted in this graphic is adjacent to the rear property of two homes on Windsor Avenue. Staff is recommending a significant amount of additional landscaping and other measures in an attempt to mitigate the concerns that have been raised by the adjoining residents.

Location of Lot 903:

This house was located by the applicant to minimize the loss of trees, grading, additional impervious surface and to retain the existing large trees. The proposed home is approximately 80 feet from one of the adjoining homes on

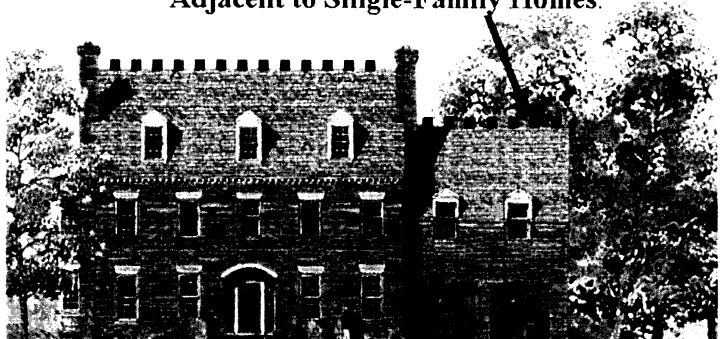


the northwestern portion of the site, and 43 feet from the closest home. The proposed house complies with the minimum setback requirements within the zone. To address the concerns that have been raised by the adjoining residents, staff is recommending that the applicant provide a significant amount of additional evergreen and deciduous landscaping/screening on the site as well as on the adjoining properties. The site of the proposed home is several feet lower (approximately 3-6 ft.) than the adjoining single family homes, which helps to mitigate the height of the proposed building. The house cannot be located farther away from the adjoining homes due to the considerable topography on the southern portion of the site. Relocation farther south would result in the elimination of mature 25" and 27" caliper trees on the site. The applicant has stated that they are unable to locate the house farther south due to the topography, soils and the fact that they believe the house would no longer be marketable because the front of lot 903 would effectively be facing the rear facade of lot 902.

Mass and Scale of the Buildings:

To address the concern regarding the proposed height of the buildings, the applicant has reconfigured the roof type of the house. Initially the proposed roof for the house consisted of one continuous hipped roof which made the home appear larger. In response, the applicant has revised the roof form to be a front gable and a side gable, which creates the appearance of separate building elements, that visually reduce the perceived mass of the building. The applicant has also agreed to a more traditional roof pitch that will further reduce the actual and perceived height of the buildings. The height of proposed homes are within the 35 ft. permitted within the R-12 zone.

**Building Step-Down
Adjacent to Single-Family Homes.**



The portion of the home closest to the adjoining property owners is the garage. This enables the building to “step-down” to the adjoining homes. The applicant revised the garage configuration from a “side-loaded” garage to a “front-loaded” garage. This enabled the driveway on the side of the house to be eliminated and enabled a larger area for landscaped-screening for the adjoining homes.

Stormwater Management Requirements:

The applicant is proposing three bio-retention ponds for treatment of the stormwater, two the bio-retention ponds are located adjacent to Russell Road and the other bio-retention ponds is located in the central portion of the site. The bio-retention facilities are essentially depressed areas that will be periodically occupied by water and will function to filter the stormwater runoff. This is a "standard" engineering solution that staff believes is not compatible with the residential character of the site or the existing actual characteristics on the site. The two bio-retention areas adjacent to Russell Road will negatively impact the traditional residential character of this street. Staff is recommending that the applicant eliminate the three proposed bio-retention ponds. As an alternative staff is recommending a significant amount of additional native trees, landscaping and understory to restore the quality of the riparian (stream buffer) adjacent to the intermittent stream that is located on the northern portion of the site.

This enables a solution to the treatment of the water that will be consistent with the natural wooded setting of the site and will also provide visual landscaping and screening for the adjoining homes. To further enhance water quality and reduce the amount of impervious surface, staff is recommending that driveways be constructed of decorative porous pavers. These pavers are a relatively new product that has been approved recently for projects such as Picketts Ridge and Cooper Dawson. There is an existing wetland seep on the western portion of the lot, that the applicant is proposing to drain with an underground drainage system. Staff is recommending that this drain be removed to retain the natural character of the site, and that additional native plantings be provided to enhance the environmental characteristics of the wetland seep.

The proposed restoration of the natural stream buffer, conservation easement, and tree preservation enable the proposed plan to have a minimal impact on the existing environmental and natural features of the site.

Tree Preservation:

The applicant is proposing to provide a 15,862 sq.ft. conservation easement on the corner of Russell Road and Lloyds Lane. The easement will ensure that this area remains as open space in perpetuity and that the numerous large trees are retained. This area includes sizable trees and is immediately adjacent to a 60" caliper tree. The easement would occupy a portion of lot 902 and lot 903. While the homeowners would retain ownership of the lots, the easement requires that the land be retained in perpetuity in its existing natural and open-space condition. The conservation covenant will ensure that the remaining natural features and trees are protected against activities that would be detrimental to preserving the natural and woodland character of the site. While the open space and habitat will be visually accessible from areas around the site, the conservation covenant areas will not be publically accessible.

Although a substantial portion of the site is to be preserved, staff believes that it is important to ensure long-term protection of the trees that are designated to be retained throughout the construction process and by the future homeowners. Therefore, a staff recommendation is that the trees that are designated to be retained (outside the easement area), be retained.

Open Space Plan:

Staff believes that the proposed plan is consistent with the intent of the Open Space Plan by retaining a significant amount of the existing mature tree canopy. The proposal does require elimination of a couple of large trees, including the Magnolia tree on Russell Road. The majority of the trees will be retained including the largest trees on the site adjacent to Lloyds Lane and on the southern portion of the site.

The proposed plan provides for the retention of much of the existing open space on Russell Road, with one additional unit adjacent to Russell Road. An open space easement is being dedicated as part of the site plan approval which will provide for visual openness along Russell Road, benefitting the adjacent residents and the City.

VI. STAFF RECOMMENDATION:

The proposed development plan has addressed the most significant issues of limiting tree removal, retaining open space adjacent to Russell Road and agreeing to reduce the density to be more compatible with the character of the adjoining neighborhoods. The applicant has been successful in proposing a plan that minimizes density and will not compromise or significantly alter the natural features of the site. In fact, as part of this proposal the City and adjoining residents have assurances that a significant portion of the site will remain as open space and that the existing trees will be retained on the site.

Staff recommends **approval**.

STAFF:

Eileen Fogarty, Director, Department of Planning and Zoning;
Jeffery Farner, Development Division, Division Chief;
Charles Burnham, Urban Planner III.

VII. RECOMMENDED CONDITIONS:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

I. Landscaping - Tree Protection:

1. The area of limits of disturbance and clearing for the site shall be limited to the areas of disturbance and clearing as generally depicted on the preliminary site plan. (P&Z)
2. **CONDITION AMENDED BY PLANNING COMMISSION:** The proposed front sidewalk for lot 902 shall be relocated to the south to be located entirely outside of the dripline for the 19" caliper tree that is to be retained **to the extent possible.** (P&Z) (PC)
3. **CONDITION AMENDED BY PLANNING COMMISSION:** A landscape plan shall be provided with the final site plan to the satisfaction of the Directors of P&Z and RP&CA. At a minimum the plan shall provide:
 - a. An additional 20-25 native evergreen and deciduous trees along the northern and western portion of the site to provide a vegetative filter and provide a landscaping screen-buffer for the adjoining single-family homes on the northern and northwestern portion of the site. The deciduous trees shall be a minimum of 2.5-3" caliper and the evergreen trees shall be a minimum of 8 ft. tall at the time of installation.
 - b. The applicant shall **reimburse the owners of lot 800A (TM #34.03-06-04), lot 901 (TM #34.03-06-01) and lot 506 (TM #34.03-06-11) for the cost of installation of** provide additional trees/landscaping on the adjoining lots if agreed upon by the adjoining property owners that at a minimum shall consist of the following:
 - i. 6-7 additional native evergreen and deciduous trees and/or landscaping on each of the following lots: lot 800A (TM#34.03-06-04) and lot 901 (TM# 34.03-06-02) lot 902 (TM#34.03-06-01) and lot 506(TM#34.03-06-11).
 - ii. **The reimbursement cost shall not exceed \$2,500.00 for each lot and shall consist of deciduous trees at a minimum of 2-2.5" caliper and evergreen trees between 8-10 ft. tall at the time of installation.**
 - c. A bond for all existing trees and landscaping designated to be retained, in an amount determined by the Director of Parks, Recreation and Cultural Activities, and for 100% of the cost of trees and landscaping required to be installed and retained, shall be provided and maintained for a period of five years.
 - d. All landscaping shall be maintained in good condition and replaced as needed.
 - e. All plant materials and specifications shall be in accordance with the current and most up to date edition of the American Standard For Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen; Washington, D.C..

- f. All underground utilities shall be routed so as to avoid trees designated to be preserved on the site.
 - g. The landscape plan shall incorporate preservation of wetlands, and enhancements of the remaining buffer to the satisfaction of Directors of T&ES, P&Z, and Parks and Recreation.
 - h. All proposed tree protection details shall be depicted on the final site plan and be provided throughout the construction process to the satisfaction of the City Arborist and Director of P&Z. (P&Z) (RP&CA)(**PC**)
4. All trees greater or equal to 12" caliper outside the limits of disturbance as depicted on the preliminary plan shall be retained during construction and by the subsequent homeowners of each lot unless:
- a. the City Arborist finds the trees are necessary to be removed due to health or safety reasons; or
 - b. Subsequent approval by the Planning Commission.
- If any of the larger caliper trees (>12") are damaged or destroyed during the construction process the applicant shall replace the tree(s) with the largest caliper tree(s) of comparable species that are available to the satisfaction of the City Arborist and Director of P&Z; the remaining tree caliper shall be planted on-site or adjacent to the site. In addition, a fine will be paid by the applicant in an amount not to exceed \$5,000 for each tree that is destroyed if the approved tree protection methods have not been followed. The replacement trees shall be installed and if applicable the fine shall be paid prior to the issuance of the last certificate of occupancy permit. (P&Z)(RP&CA)

II. Open Space:

5. **CONDITION AMENDED BY PLANNING COMMISSION:** The open space conservation easement that covers a portion of lot 902 and lot 903, as depicted on the site plan, shall be recorded as an open space conservation easement to the satisfaction of the City Attorney. The open space easement shall prohibit construction or placement of structures or accessory structures including but not limited to, buildings, structures and fencing. The plat and easement language for the open space easement shall be approved by the Directors of P&Z, RP&CA and the City Attorney and recorded among the land records prior to release of the first building permit **for lots 902 and 903**. Maintenance of the open space easement shall be the responsibility of the owners of lots 902 and lot 903.
- a. Except as may be necessary for the prevention or treatment of disease, the owner may remove dead or damaged trees, but only after consultation with the City of Alexandria Arborist. No mature trees shall be removed from the Conservation/Open Area. Supplemental tree plantings may be provided within the Conservation Area Easement, but shall consist of native species as identified by the City Arborist. (P&Z)(**PC**)

III. Streets - Utility and Infrastructure:

6. **CONDITION AMENDED BY PLANNING COMMISSION:** A perpetual ~~18'-wide~~ **private** access easement shall be recorded by the applicant for the entire portion of the internal access street. The easement shall be recorded prior to the first certificate of occupancy permit. The easement shall provide vehicular and pedestrian access **for lots 902 and 903.**(P&Z)(PC)
7. **CONDITION AMENDED BY PLANNING COMMISSION:** The driveways (excluding the internal street) shall be constructed of decorative porous pavers ~~to the satisfaction of~~ **in consultation with** the Directors of P&Z and T&ES. (P&Z) (PC)

IV. Building and Design Conditions:

8. **CONDITION AMENDED BY PLANNING COMMISSION:** The final architectural elevations shall be consistent with the level of quality and detail provided in the preliminary architectural elevations. In addition, the buildings shall provide the following to the satisfaction of the Director of P&Z.
 - a. The materials for each of the facades (front, sides and rear) of the units shall be limited to brick, stone ~~or~~ **cementitious siding or wood.**
 - b. Architectural elevations (front, side and rear) shall be submitted with the final site plan. Each elevation shall indicate average finished grade.
 - c. The proposed retaining walls shall be masonry or stone veneer. (P&Z)(PC)
9. **CONDITION AMENDED BY PLANNING COMMISSION:** Front yard fences shall be limited to a maximum height of 3.5 ft. and shall be limited to a decorative open style metal fence or ~~painted~~ wooden picket **fence** to the satisfaction of the Director of P&Z. A detail of all fences shall be provided on the final site plan. (P&Z) (PC)

V. Site Plan:

10. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with adjoining representatives and adjacent home owners to review the hauling routes, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)
11. Proposed decks shall not be located on the northern sides of the homes located on Lots 901 and 903. This note shall be added to the final site plan. (P&Z)

12. Show all utility structures, including transformers, on the final development plan. All utility structures (except fire hydrants) shall be clustered where possible and located so as not to be visible from a public right-of-way or private street. When such a location is not feasible, such structures shall be located and screened to the satisfaction of the Director of P&Z. (P&Z)
13. Any inconsistencies between the various drawings shall be reconciled to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
14. A temporary construction trailer shall be permitted and be subject to the approval of the Director of P&Z. (P&Z)
15. A freestanding subdivision or development sign(s) shall be prohibited. (P&Z)
16. **CONDITION AMENDED BY PLANNING COMMISSION:** Each of the three parcels shall be one hundred feet in width at the minimum building lines. The internal private street shall be located on a separate lot, exclusive of the proposed lot areas required for lots 901 and 903 **to the satisfaction of the Director of Planning and Zoning.** (P&Z) **(PC)**
17. **CONDITION AMENDED BY PLANNING COMMISSION:** The fire apparatus turn-around must be clearly delineated on the final site plan, and the fire access easement shall be a minimum of eighteen (18) feet in width **or such lesser width to the satisfaction of the Director of Code Enforcement.** (Code) **(PC)**
18. Residential structures shall be equipped with a automatic fire suppression system in lieu of full emergency vehicle easement over 100 feet in length and provisions for a emergency vehicle turnaround. (Code)
19. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall record the ~~eighteen (18) foot wide~~ fire access easement in the land records. (Code)**(PC)**
- VI. **Environmental:**
20. **CONDITION AMENDED BY PLANNING COMMISSION:** Revise the water quality measures to include alternate BMP measures that may be approved through enhanced landscaping using natural planting consistent with the landscape plan submitted within the final site plan subject to the satisfaction of the Directors of P&Z, RP&CA and T&ES. Bio-retention areas shall **be removed** ~~not be located within the front yard of lot 901 or lot 902.~~ (P&Z) **(PC)**
21. The applicant shall not drain the identified wetland on site.

22. The applicant shall preserve and enhance the existing wetlands, and the riparian buffer along the existing stream by minimizing encroachments in the existing 50 foot performance criteria buffer, stream bank and channel stabilization, by removing invasive plant species and planting native and habitat appropriate plants. The landscape elements required by this condition should be incorporated in landscaping plan and should be to the satisfaction of Directors of T&ES, P&Z, and Parks and Recreation.
23. The stormwater collection system is part of the Timber Branch. All on-site stormwater curb inlets and public curb inlets within 50 feet of the property line shall be duly marked to the satisfaction of the Director of T&ES.
24. Provide a drainage map/drainage divide map for the area flowing to the chosen stormwater Best Management Practices (BMPs), including topographic information and storm drains. All drainage facilities must be designed to the satisfaction of T&ES. (T&ES)
25. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - Constructed and installed as designed and in accordance with the approved Final Site Plan.
 - Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES)
26. The surface appurtenances associated with the on-site structural stormwater Best Management Practices (BMPs) shall be marked to the satisfaction of the Director of T&ES to identify them as part of a structural BMP system. (T&ES)
27. For any surface-installed stormwater Best Management Practice (BMP), i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, descriptive signage for the BMPs are required to be installed to the satisfaction of the Director of T&ES. (T&ES)
28. Prior to approval of the final site plan, and reviewed as second final, the applicant shall execute, record and submit a maintenance agreement with the City for the stormwater quality Best Management Practices (BMPs). (T&ES)
29. The applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the homeowner association (HOA), if applicable, or until sale to an owner. Prior to transferring responsibility for the BMPs to the HOA or owner, the applicant shall execute a maintenance service contract with a private contractor for a

minimum of three years and transfer the contract to the HOA or owner. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the contract shall be submitted to the City. (T&ES)

30. The applicant shall furnish the homeowner association, if applicable, or owner(s) with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on a digital media. (T&ES)
31. If the housing units will be sold individually and a homeowner association established, the applicant shall furnish each home purchaser with a brochure describing the stormwater BMPs installed on the site, outlining the responsibilities of the homeowners and the homeowner association (HOA) with respect to maintenance requirements. Upon activation of the HOA, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners. (T&ES)
32. Prior to release of the performance bond, the applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that the existing stormwater management facility adjacent to the project and associated conveyance systems were not adversely affected by the construction and that they are functioning as designed and are in a condition similar as to prior to when construction began. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance performed. (T&ES)
33. If fireplaces are to be included in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)
34. During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off site properly in accordance with all applicable federal, state and local laws (T&ES).

35. The site is located on marine clay areas as delineated on City map of marine clay areas. Provide geotechnical report including recommendations from a geotechnical professional for proposed cut slopes and embankments. (T&ES)
36. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)

VII. Legal/Procedural:

37. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
38. **CONDITION AMENDED BY PLANNING COMMISSION:** Under ADA guidelines, developers and property owners are required to comply with the ADA guidelines whenever there is major reconstruction or renovation or new construction on their property. The developer shall be required to ~~install~~ **reimburse the City for hte cost of installation of** a passenger loading platform between the curb and the sidewalk at the bus stop located on the west side of the 1900 block of Russell Road at W. Howell Avenue, **the sum not to exceed \$500.00**. Because the sidewalk meanders around a tree near that bus stop location, the width of the grass planter strip has a varying width. It is estimated that the average width of the planter strip at that location is approximately 2.5 feet wide. The size of the passenger loading platform should be about 2.5' wide by 6' long or approximately 15 square feet in Area. (Transit) **(PC)**
39. Solid waste services shall be provided by the City. The developer must provide adequate space within each unit to accommodate a City Standard super can and recycling container. The containers must be placed inside the units or within an enclosure that completely screens them from view. The developer must purchase the standard containers from the City or provide containers that are compatible with City collection system and approved by the Director of Transportation and Environmental Services. (T&ES)
40. All refuse/recycling must be placed at the City right-of-way for pick-up. (T&ES)
41. Show existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards. (T&ES)
42. Provide all pedestrian and traffic signage to the satisfaction of the Director of T&ES. (T&ES)

43. All driveway entrances and sidewalks in public ROW or abutting public ROW shall meet City standards. (T&ES)
44. Show all existing and proposed easements, both public and private. (T&ES)
45. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
46. Provide City standard pavement for emergency vehicle easements. (T&ES)
47. Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
48. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
49. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES)
50. Plan must demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
51. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of Article XIII of AZO shall be met. (T&ES)
52. All roof drains shall be piped to the storm drain system.
53. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
54. The final subdivision plan shall be consistent with the final site plan, and shall be approved and recorded prior to the release of the final site plan. The subdivision plan and all easements shall be submitted as part of the first final site plan submission. (P&Z)

55. **CONDITION AMENDED BY PLANNING COMMISSION:** Prior to the release of the first certificate of occupancy for the project, the City Attorney shall review and approve the language of the Homeowner's ~~Agreement~~ **Association (HOA documents)** to ensure that it they conveys to future homeowners the requirements of this development site plan, including the restrictions listed below. The HOA language shall establish and clearly explain that these conditions cannot be changed except by an amendment to this site plan approved by the Planning Commission.
- a. Individual garages may be utilized only for parking; storage which interferes with the use of the garages for vehicle parking is prohibited.
 - b. Vehicles shall not be permitted to park on any emergency vehicle easement. ~~The Homeowner's Association shall maintain a contract with a private towing company to immediately remove any vehicles violating this condition.~~
 - c. All landscaping and screening shown on the final landscaping plan shall be maintained in good condition and may not be reduced without approval of the Planning Commission or the Director of Planning and Zoning, as determined by the Director of Planning and Zoning.
 - d. The Homeowners Association documents shall disclose to all prospective buyer(s) through the sales literature and documents, sales contracts etc. that the internal access easement for the street and the potential liability.
 - e. The landscaping required as part of the water quality enhancements shall be maintained by the individual homeowner, and shall not be revised, altered or eliminated without approval by the Planning Commission.
 - f. For lot 902 and lot 903 the open space **conservation** easement on the southern portion of the lots, and restrictions of the easement.
 - g. No ground disturbing activity shall occur within the drip-line area of trees to be protected. (P&Z)
56. The applicant shall submit a building location survey to the Department of Planning & Zoning prior to applying for a certificate of occupancy permit for each unit. The location survey shall show all improvements on the lot including easements, restrictions and limits of the tree protection area on the final development plan. (P&Z)
57. The three lots shall include covenants that preclude the future subdivision of the three lots as depicted on the site plan. The covenants shall be recorded among the land records after review and approval by the City Attorney. (P&Z)
58. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z)

59. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes. This is to be completed prior to the commencement of construction. (Police)
60. All archaeological work will be carried out in accordance with the *City of Alexandria Archeological Standards* and is subject to the approval of the City Archaeologist. (Archaeology)
61. If determined to be appropriate by the City Archaeologist, a plaque will be erected on this property summarizing its historical and archaeological significance. The wording on the plaque will be approved by Alexandria Archaeology. (Archaeology)
62. The applicant should not allow any other metal detection to be conducted on the property, unless authorized by Alexandria Archaeology. (Archaeology)
63. The following statement must appear in the general notes of all site plans so that on-site contractors are aware of the requirement. "The historic spring house on the property must not be disturbed, and its location must be noted on the site plan. Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.), Civil War period artifacts, or concentrations of other artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds." (Archaeology)
64. **CONDITION ADDED BY PLANNING COMMISSION:** The site plan shall be revised in consultation with the adjoining residents, to the satisfaction of the Director of P & Z to provide the following:
 - a. The house for lot 903 shall be decreased 12 ft. and the house shall be located approximately 6 ft to the south as generally depicted in Attachment #1, which shall be permitted to provide the following:
 - i. The northern setback for lot 903 shall be increased from 17.9 feet to 36 ft. from the northern property line.
 - ii. The western setback shall be increased as generally depicted in Attachment # 1.
 - iii. The applicant shall only be permitted to remove the two adjacent trees (25"and 27" caliper trees) if determined by the Departments of P&Z and RP & CA that the trees will not survive; however the applicant shall retain the 16" and 20" caliper trees on the northern portion of the site that are depicted to be removed on the preliminary plan. (PC)

65. **CONDITION ADDED BY PLANNING COMMISSION:** The design of the house for lot 903 shall be revised to the satisfaction of the Director of P & Z to provide the following:
- a. The roof, form, type and design shall be designed to reduce the perceived mass and scale consistent with the architectural design of the house.
 - b. The type, size, location of windows on the northern facade shall be revised to provide minimal impacts on the adjoining residents. (PC)
66. **CONDITION ADDED BY PLANNING COMMISSION:** The house (lot 901) on Russell Road shall provide an increased front yard setback from 42 ft. to 52 ft. from the property line and shall be shifted farther to the southwest to the extent feasible as determined by the Directors of P & Z and Code Enforcement. The bay windows shall be eliminated from the northern facade of the home on the second story. (PC)
67. **CONDITION ADDED BY PLANNING COMMISSION:** The property lines on the final site plan may have minor adjustments to the satisfaction of the Director of P & Z. (PC)
68. **CONDITION ADDED BY PLANNING COMMISSION:** The garage for the unit on lot #903 shall "step down" on the northern portion of the lot as depicted in the staff report.(PC)

Staff Note: In accordance with section 11-418 (a) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of initial planning commission approval of the plan or the development site plan shall become void.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-2 The applicant must comply with the Article XIII of the City's zoning ordinance, which includes requirements for stormwater pollutant load reductions, treatment of the water quality volume default, and stormwater quantity management.
- C-3 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law.
- C-4 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the new state requirement for a VPDES permit for all construction activities greater than 1 acre.
- C-5 Bond for the public improvements must be posted prior to release of the plan.
- C-6 All downspouts must be connected to a storm sewer by continuous underground pipe.
- C-7 The sewer tap fee must be paid prior to release of the plan.
- C-8 All easements and/or dedications must be recorded prior to release of the plan.
- C-9 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C-10 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-11 All utilities serving this site to be underground.

- C-12 Provide site lighting plan.
- R-1 Under ADA guidelines, developers and property owners are required to comply with the ADA guidelines whenever there is major reconstruction or renovation or new construction on their property. The developer shall be required to install a passenger loading platform between the curb and the sidewalk at the bus stop located on the west side of the 1900 block of Russell Road at W. Howell Avenue. Because the sidewalk meanders around a tree near that bus stop location, the width of the grass planter strip has a varying width. It is estimated that the average width of the planter strip at that location is approximately 2.5 feet wide. The size of the passenger loading platform should be about 2.5' wide by 6' long or approximately 15 square feet in Area.(Transit)
- R-2 Solid waste services shall be provided by the City. The developer must provide adequate space within each unit to accommodate a City Standard super can and recycling container. The containers must be placed inside the units or within an enclosure that completely screens them from view. The developer must purchase the standard containers from the City or provide containers that are compatible with City collection system and approved by the Director of Transportation and Environmental Services. (T&ES)
- R-3 All refuse/recycling must be placed at the City right-of-way for pick-up. (T&ES)
- R-4 The site is located on marine clay areas as delineated on City map of marine clay areas. Provide geotechnical report including recommendations from a geotechnical professional for proposed cut slopes and embankments. (T&ES)
- R-5 Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- R-6 Show existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards. (T&ES)
- R-7 Provide all pedestrian and traffic signage to the satisfaction of the Director of T&ES. (T&ES)
- R-8 All driveway entrances and sidewalks in public ROW or abutting public ROW shall meet City standards. (T&ES)
- R-9 Show all existing and proposed easements, both public and private. (T&ES)

- R-10 Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
- R-11 Provide City standard pavement for emergency vehicle easements. (T&ES)
- R-12 Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
- R-13 All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
- R-14 Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES)
- R-15 Plan must demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- R-16 If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of Article XIII of AZO shall be met. (T&ES)
- R-17 All roof drains shall be piped to the storm drain system. (T&ES)
- R-18 The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
- R-19 The report by WSSI shows existence of and boundaries of Jurisdictional wetlands and intermittent stream. Based on these findings and provisions of the proposed Environmental Management Ordinance, a 50 foot buffer applies as performance criteria buffer. The proposed plan shows significant encroachment into this 50 foot buffer. Plan also proposes draining out the existing wetlands (seep) and grading it. The DEQ does not support the proposed drainage of the wetlands. In case of plan moving ahead with approval, following provisions are recommended as conditions of approval. (DEQ)
 - 1. The applicant shall not drain the identified wetland on site.
 - 2. Applicant shall preserve and enhance the existing wetlands and minimize encroachments into the existing 50 foot performance criteria buffer.

3. The applicant shall prepare a adequate landscape plan incorporating preservation of wetlands, enhancements of remaining buffer to the satisfaction of Directors of T&ES, P&Z, and Parks and Recreation.
- R-20 The stormwater collection system is part of the Strawberry Run watershed. All on-site stormwater curb inlets and public curb inlets within 50 feet of the property line shall be duly marked to the satisfaction of the Director of T&ES. (DEQ)
- R-21 Provide a drainage map for the area flowing to the chosen stormwater Best Management Practices (BMPs), including topographic information and storm drains. (DEQ)
- R-22 The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 1. Constructed and installed as designed and in accordance with the approved Final Site Plan.
 2. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (DEQ)
- R-23 The surface appurtenances associated with the on-site structural stormwater Best Management Practices (BMPs) shall be marked to the satisfaction of the Director of T&ES to identify them as part of a structural BMP system. (DEQ)
- R-24 For any surface-installed stormwater Best Management Practice (BMP), i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of T&ES. (DEQ)
- R-25 Prior to approval of the final site plan, and reviewed as 2nd final, the applicant shall execute, record and submit a maintenance agreement with the City for the stormwater quality Best Management Practices (BMPs). (DEQ)
- R-26 The applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the homeowner association (HOA), if applicable, or until sale to an owner. Prior to transferring responsibility for the BMPs to the HOA or owner, the applicant shall execute a maintenance service contract with a private contractor for a minimum of three years and transfer the contract to the HOA or owner. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the contract shall be submitted to the City. (DEQ)

- R-27 The applicant shall furnish the homeowner association, if applicable, or owner(s) with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on a digital media.(DEQ)
- R-28 If the housing units will be sold individually and a homeowner association established, the applicant shall furnish each home purchaser with a brochure describing the stormwater BMPs installed on the site, outlining the responsibilities of the homeowners and the homeowner association (HOA) with respect to maintenance requirements. Upon activation of the HOA, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners. (DEQ)
- R-29 Prior to release of the performance bond, the applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that the existing stormwater management facility adjacent to the project and associated conveyance systems were not adversely affected by the construction and that they are functioning as designed and are in a condition similar to prior to construction began. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance performed.(DEQ)
- R-30 If fireplaces are to be included in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys.(DEQ)
- R-31 During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off site properly in accordance with all applicable federal, state and local laws.(DEQ)

Code Enforcement

- F-1 Turning radii for fire access shall be 25 foot radii minimum. Show turning radii on plan. **The revised boundaries for the fire access lane are not clearly identified. Both the site plan (Sheet 04) and the easement plat show an easement of approximately 140 feet. Easements over 100 feet must provide a fire apparatus turn around.**
- F-2 An additional fire hydrant will be required at entrance to site. Hydrant should be located on same side of Russell road as proposed development. **Condition met. Proposed hydrant is acceptable.**
- F-3 Roadways used for fire access shall conform to A.A.H.S.T.O. H-20 loading standards. **The proposed width of 16 feet is below the required minimum width of 18 feet. The easement is substandard and not acceptable as proposed.**
- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). **Condition met. Shown as Note 12 on Sheet 01.**
- C-2 A soils report must be submitted with the building permit application. **Condition met. Note 32 on Sheet 01 and Soils note on Sheet 04 shown on plans.**
- C-3 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0. **Condition met. Shown as Note 22 on Sheet 01.**
- C-4 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. **Condition met, shown as Rodent Abatement Note on Sheet 04.**
- C-5 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property. **Condition met. Shown as Roof Drainage Note on Sheet 04.**
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems. **Acknowledged by applicant.**

DSP #2004-0008 & SUB #2003-0011
Renaissance Custom Communities, LLC (Russell-Lloyds)

- C-7 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property. **Condition met. Applicant will confine construction to within boundaries of site.**
- C-8 The final site plans shall show placement of fire easement signs. **Applicant will record easement in land records in accordance with agreement with Code Enforcement in lieu of signage.**
- C-9 **Residential structures shall be equipped with a automatic fire suppression system in lieu of full emergency vehicle easement over 100 feet in length and provisions for a emergency vehicle turnaround. This is in accordance with an agreement with Code Enforcement.**

Police Department

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding locking hardware and alarms for the new homes. This is to be completed prior to the commencement of construction.
- R-2 There is to be security surveys for any construction or sales trailers as soon as they are placed on site.

Archaeology

- F-1 There is a spring house associated with a historic spring on this property. The spring house dates to the early 20th century. While there are no other known historic resources on the lot, there were 19th-century estates and Civil War camps in the vicinity which may have left remains in the ground.
- C-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.), Civil War period artifacts, or concentrations of other artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-2 The historic spring house must not be disturbed.
- R-1 No metal detection should be conducted on the property, unless authorized by Alexandria Archaeology.

- C-3 The statements in C-1, C-2 and R-1 above must appear in the General Notes of all site plans so that on-site contractors are aware of the requirement. In addition, the location of the spring house must be marked on the site plan.

Parks and Recreation:

No comments.

APPLICATION for DEVELOPMENT SITE PLAN

DSP # 2004-0008
Sub # 2003-0011

PROJECT NAME: 1900-1910 Russell Road

PROPERTY LOCATION: 1900-1910 Russell Road

TAX MAP REFERENCE: 34.03-06-05 through-07 ZONE: R-12

APPLICANT Name: Renaissance Custom Communities LLC

Address: 12030 Sunrise Valley Dr #170, Reston Va 20190

PROPERTY OWNER Name: Renaissance Custom Communities LLC

Address: 12030 Sunrise Valley Dr #170, Reston Va 20190

DEVELOPMENT SITE PLAN PROPOSAL: Request for Development Site Plan for the
resubdivision of 1900, 1904 and 1910 Russell Road, including dedication of
conservation easement on lot 703, see attached plan.

THE UNDERSIGNED hereby applies for Development Site Plan approval in accordance with the provisions of Title 7, Chapter 5 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notices on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Harry P. Hart
Print Name of Applicant or Agent

Harry P. Hart
Signature

HART, CALLEY, GIBBS & KARP, P.C.
Mailing Address

(703) 836-5757
Telephone Number

307 N. Washington St., Alex. VA 22314
Mailing Address

February 6, 2004
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____
Fee Paid & Date: \$ _____
Legal Advertisement: _____

Received Plans for Completeness: _____
Received Plans for Preliminary: _____
Property Placard: _____

ACTION - PLANNING COMMISSION: _____

2004-0008
SUB# 2003-0011

All Applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto oriented uses and freestanding signs requiring special use permit approval.

1. The Applicant is the (check one)

☒ Owner ☐ Contract Purchaser

☐ Lessee or ☐ Other: _____

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation in which case identify each owner of more than ten percent.

Albert H. Small Jr., 7311 Arrowood Road, Bethesda, Maryland 20817 - 100%

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes. Provide proof of current City business license.

☐ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

PC Docket Item # 24 A+B
DSP 2004-0008
SUB 2003-0011
2000 Russell Road
Alexandria, VA 22301
April 17, 2004

Jeff Farner
Department of Planning and Zoning
City of Alexandria
301 King Street, Suite 2100
Alexandria, VA 22313

Re: 1904 Russell Road Development, Case No. 2004-0008

Dear Mr. Farner:

In view of the discussion at the Northridge meeting on April 12, I wanted to present further the views of my wife Debbie and I on the proposed building at 1904 Russell Road next to our home.

As discussed Monday night and at previous meetings, the developer plans to build three residences on the adjoining property. According to plans that I reviewed, the developer plans to locate one building on a 12,000+ sq. foot lot next to our home at 2000 Russell Road. The building would have about 7500 square feet of living space on three levels above ground; the structure would be roughly 60 feet square and 35 feet high. The developer plans to place this imposing structure the minimum setback of 15-17 feet from our common boundary.

The only reason that the siting of the proposed structure does not create a McMansion ghetto is its *de facto* use of our property (without compensation) to enhance the appearance of that property. Put another way, imagine that instead of our current house, another structure of the same size as the developer proposes was located on our property with the minimum setback from the boundary and a space between the buildings of 30-35 feet. As planned, this imposing structure will degrade the view of our historically significant house and its site from Russell Road, a major thoroughfare. I think you would agree that this is not the appearance that we want for this rare site in this part of Alexandria.

Moreover, the proposed building has a large bay window (12' wide with a 5' projection) on the second story that overlooks our side yard and home. This feature is a serious threat to our privacy, located on the second story and 15' from our property. I have heard much about the imposition on the privacy of the Windsor Street residents by the proposed house on the tennis court. That building, however, does not have such an overlook on its neighbors; the bay window is on the south side of the other two proposed buildings of the development.

We have spent a lot of money in an ongoing effort to create a property authentic to its period and an asset to the neighborhood. It now appears that these efforts, both for our enjoyment and for the community's enjoyment, will be compromised for the benefit of an out-of-area developer by the inconsiderate placement of this imposing structure.

What measures would improve the proposed plan? We would like the building moved 5 feet to the south. No trees or other obstacles would impede this move. We would like the second story bay window on our side eliminated in favor of two regular windows placed apart. Also, the city should require the developer to place a suitable evergreen screen on his property that would shield our back yard from the second story window. We would like the roofline of the structure lowered to render the structure less imposing in its relation to our house.

As you know, water drainage issues are important on this development site. At least three springs are visible on the surface of this property, including a significant one on the lot adjoining us. I agree with you that the proposed retention ponds on Russell Road are a poor idea. Rock-lined meandering surface swales that appear as natural streambeds are a better idea. As I mentioned at the April 12 meeting, the stream that flows underground in a storm sewer on our boundary with the proposed development, and above ground upstream between the O'Neils and the tennis court, is spring fed and flows continuously in a vigorous way. We strongly support bringing the stream above ground down to Russell Road and would contribute to creation of an appropriate channel for it. Such a feature also may ameliorate greatly the visual spacing problem between our house and the proposed building.

Also, in light of the Open Space presentation made at the April 12 meeting, I wonder whether setback restrictions apply to this stream for protection of the Chesapeake Bay watershed. The stream is a tributary of the Chesapeake Bay.

We feel that our concerns are valid and that our requests and suggestions to mitigate the problems are realistic and involve relatively modest changes. Debbie and I appreciate your consideration of our concerns and your efforts on behalf of the community, as evidenced by your appearance at evening meetings. You can reach us at work; Debbie's telephone number is (703) 292-4985 and my number is (202) 942-4584. Our home telephone number is (703) 684-5771.

Sincerely,



Ken Cureton

Cc: Dave Brown
Northridge Citizens Association

Russell Loyds
DSP 2004-0008
SUB 2003-0001



Natalie Burch

05/06/04 01:53 PM

To: Kendra Jacobs/Alex@Alex

CC:

Subject: The Following is from Eileen Fogarty Re: City of Alexandria Website
Contact Us - EMail for Eileen Fogarty
(eileen.fogarty@ci.alexandria.va.us)

The following is from Eileen:

Kendra:

Please make sure this gets into the CC package.
Thanks,

Eileen

----- Forwarded by Natalie Burch/Alex on 05/06/2004 01:52 PM -----



<bharslem@msn.com>

05/03/2004 06:19 PM
Please respond to
bharslem

To: <eileen.fogarty@ci.alexandria.va.us>

CC:

Subject: City of Alexandria Website Contact Us - EMail for Eileen Fogarty
(eileen.fogarty@ci.alexandria.va.us)



Time: [Mon May 03, 2004 18:19:06] IP Address: [151.200.151.10]

Response requested: ☐

First Name: Barbara

Last Name: Harslem

Street Address: 113 West Bellefonte Avenue

City: Alexandria

State: VA

Zip: 22301

Phone: 703-836-7157

Email Address: bharslem@msn.com

Comments: Dear Ms. Fogarty,
I came to this website thinking I would be able to
e-mail the members of the Planning Commission,
but since they are not listed, I would ask that you
forward this e-mail to them.

I am writing in support of the plans for
1900,1904,and 1910 Russell Road. My husband
and I have lived in Alexandria since 1971 and in

our current house since 1976. We have been active in the Delray Community, particularly the schools, and all four of our children went to Mount Vernon Elementary School and through to TC Williams.

The plans as presented for the lots across Russell Road from our home seem to be very considerate of both our community and the environment. We appreciate the buffer on the corner of Russell and Lloyds Lane both for environmental reasons and safety reasons. This is a very dangerous corner. The telephone pole in front of our home has been replaced numerous times when cars have crashed into it, and in addition two cars crashed into our house, and another took out a tree in our front yard. Keeping a distance between this corner and entry to Russell Road is a very good idea and could be a life-saving one. Preservation of trees is always a good thing in our view.

We are pleased that this will not be a dense developement like so many recently with huge homes on small lots packed in close together. The construction of three homes will have minimal impact on our immediate neighborhood. The placement of the houses seems to provide a nice buffer all the way around the lot. We appreciate this thoughtful approach to land use.

Sincerely,

Barbara Harslem
George Tuttle
113 West Bellefont Avenue
Alexandria, VA 22301

The North Ridge Citizens' Association

A Non-Profit Organization

PO BOX 3242

ALEXANDRIA, VA 22302-0242

April 30, 2004
Alexandria Planning Commission
City Hall
301 King Street
Alexandria, Virginia 22313

Re: Subdivision # 2003-0011
Site Development Plan # 2004-008
Docket ## 24A, 24B

Dear Commission Members:

The North Ridge Citizens Association welcomes this opportunity to present its views on the above-referenced applications. The Executive Board of the Association has discussed these applications over the space of multiple Board meetings. At its regular monthly meeting of April 12, 2004, the Board voted to recommend approval of the applications if conditions addressing concerns voiced at the meeting were imposed. We have worked closely with the staff to ensure that optimal conditions consistent with the basic site plan are recommended. Except as noted below, the Association feels that the staff's conditions adequately deal with the issues that have arisen in our consideration of this subdivision and site plan.

Before discussing our additional recommendations, a few preliminary comments are in order. First, a question has arisen regarding whether the site on the west side of the 1900 block of Russell Road is within the "jurisdiction" of the Association. The short answer is yes: the Association's membership boundaries, with some exceptions not relevant here, are Russell Road on the east, Braddock Road on the south, Quaker Lane on the west, and West Glebe Road on the north, excluding Parkfairfax. The longer answer is that it does not matter; the Association reserves the right to comment on any land use matter in the City, without regard to the traditional boundaries of its membership. I should also note that there have been occasions when other community groups have formed within our membership area, such as the Kingsgate Homeowners Association. We endeavor to work cooperatively with such groups in developing and expressing our views on matters of common interest. We know of no pre-existing group embracing the Russell Road properties other than our Association.

Second, the Commission deserves an explanation for why our recommendation is at odds with the feelings of a number of residents most directly affected by the planned development at the end of Windsor Avenue. The Association expresses its views through an Executive Board composed of members of our community. Membership on the Board is determined annually, and consists of virtually anyone in our neighborhood prepared to devote the expected time, attention and energy to Association interests and activities,

which are by no means limited to land use issues. Our monthly meetings are open to the public and our Annual Meeting, where Board members are elected, is widely publicized, to include direct mail to every resident in the North Ridge community. In addition, when a land use or other issue directly affecting a particular segment of our community arises, we try to ensure that affected residents know when and where the Board will discuss these issues, so that they can attend and voice their concerns.

The Board considered the Russell Road development plans utilizing the foregoing procedures. Experience has shown that most Board members vote on particular matters with a view toward what they perceive to be in the best interests of the North Ridge community as a whole. Thus, it is possible, though infrequent, that the Board's vote will reflect a different, larger perspective that is at odds with the particular concerns of individual residents. In this case, the Board decided that the advantages of the plan, and particularly the community-wide benefit of a conservation easement protecting a significant parcel fronting on Russell and Lloyd Lane, outweighed its disadvantages. The principal disadvantage is that saving the Russell/Lloyd parcel from development moved the house that would have been on that site to an area in the back that produces only minimal setbacks from existing residences on Windsor Avenue. We understand and appreciate the concerns of Windsor residents about the proximity of two of the houses, but the setbacks are not substandard, and conditions have been recommended to alleviate the impact of the switch. These conditions are crucial to our support of the plan.

The Board was also quite concerned about the uncertain impact of disapproval of the plans. Under the recommended conditions, plan approval will mean that this acreage will no longer be susceptible to resubdivision into anywhere from four to seven lots, as the current zoning might allow by right. Plan disapproval could foreseeably precipitate by-right development of the property in a way that failed to preserve open space and resulted in more adverse impact on Windsor residents than the current plan.

The staff has done a very commendable job of drafting protective conditions to be attached to subdivision and site plan approval. We have worked with the staff on these conditions and heartily endorse them. We would, however, like to recommend a few additional conditions intended to minimize the development's adverse impact on homes to the north, with particular attention to a very nicely preserved and expanded home at the intersection of Windsor and Russell.

Additional Building or Site Plan Conditions

1. No portion of any building shall extend beyond the footprint shown on the preliminary plan. **Rationale:** The allowed FAR would permit massive houses on these sites. The building footprints shown are more modest and more in keeping with the site and the neighboring community. They should be viewed as the maximum building envelope.

2. The house to be constructed on lot 903 shall use the stepped-down, right-hand garage configuration shown in the staff report. **Rationale:** The reduction of the impact on neighboring properties by utilizing this design is obvious and highly desirable.

3. On the north side of the house to be constructed on lot 901, (a) any window extending above a point 12 feet above finished grade shall be no more than 4 feet wide and 5 feet high and shall have at least 6 feet of separation from any other window; and (b) no balcony, bay window or other projection of living space shall extend above a point 10 feet above finished grade. **Rationale:** These limitations on construction were suggested by the closest adjacent neighbor, who has legitimate concerns about loss of privacy. The Association recommends these measures, or a reasonable equivalent to somewhat ameliorate those concerns. They are limited to the one side of the house facing this neighbor.

A representative of the Association will attend the hearing on these applications and will be prepared to answer any questions the Commission may have concerning our position.

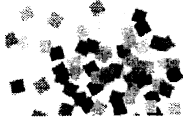
Very truly yours,

A handwritten signature in black ink, appearing to read "Norman Lodato". The signature is fluid and cursive, with the first name "Norman" being more legible than the last name "Lodato".

Norman Lodato,
President

PC Docket Items #2 A+B
May 6, 2004
DSP 2004-0005; SUB 2004-0005

PC Docket Items #24A+B
DSP 2004-0008
SUB 2003-0011



Barbara Ross

05/04/04 01:55 PM

To: Kendra Jacobs/Alex@Alex

cc:

Subject: 5/4/04 Docket, Items #15, #24A and #24B; 5/6/04 Docket, Items #2-A, #2-B

----- Forwarded by Barbara Ross/Alex on 05/04/2004 01:55 PM -----



Ginny Hines Parry
<ghparry@fortebrio.com>
m>

05/04/2004 12:53 PM

To: Eric Wagner <erwagner@comcast.net>, Rich Leibach

<RichLeiBACH@aol.com>, John Komoroske

<mkomorosj@nasd.com>, "J. Lawrence Robinson"

<jlr@cpma.com>, Stewart Dunn <hsdunn@ipbtax.com>, Donna

Fossum <fossum@rand.org>, Jesse Jennings

<jssjennings@aol.com>

cc: Eileen Fogarty <eileen.fogarty@ci.alexandria.va.us>, Barbara Ross

<Barbara.Ross@ci.alexandria.va.us>

Subject: 5/4/04 Docket, Items #15, #24A and #24B; 5/6/04 Docket, Items #2-A, #2-B

May 4, 2004

Chairman and Members of the Planning Commission
City Hall
301 King Street
Alexandria, VA 22314

Dear Chairman and Members of the Planning Commission:

Alexandrians for Sensible Growth (ASG) requests that the Planning Commission defer consideration of the items listed below because all of the sites are being considered for acquisition as open space by the City Council. City Council released a statement on May 3 stating that it will decide this fall what sites to try to acquire as open space with funds from bonding.

May 4, 2004 Docket:

15. SUBDIVISION #2003-0010
2207 IVOR LANE

Consideration of a request to subdivide the subject property into two lots; zoned R-8/Residential.

Applicant: KG Development, LLC by Susan Kelly
(Deferred from April docket)

24-A. SUBDIVISION #2003-0011
1900, 1904 and 1910 RUSSELL ROAD
RUSSELL-LLOYDS

Consideration of a request to subdivide three existing lots on the subject property in order to reconfigure the parcel lines; zoned R-12/Residential. Applicant: Renaissance Custom Communities, LLC by Harry Hart, attorney

24-B. DEVELOPMENT SITE PLAN #2004-0008
1900, 1904 and 1910 RUSSELL ROAD
RUSSELL-LLOYDS

Consideration of a request for a development site plan to construct three single family dwellings; zoned R-12/Residential.

Applicant: Renaissance Custom Communities, LLC by Harry Hart, attorney

May 6, 2004 Docket:

2-A. SUBDIVISION #2004-0005
1400 JANNEY'S LANE
OAK GROVE

Consideration of a request to subdivide the subject property into 10 lots;
zoned R-20/Residential.

Applicant: Elm Street Development, Inc. by Jonathan P. Rak, attorney

2-B. DEVELOPMENT SITE PLAN #2004-0005
STREET NAME #2004-0001
1400 JANNEY'S LANE
OAK GROVE

Consideration of a request for a development site plan to construct single
family dwellings and a request to name a public street; zoned
R-20/Residential.

Applicant: Elm Street Development, Inc. by Jonathan P. Rak, attorney

The Ivor Lane site is part of several parcels listed for priority attention
in the Open Space Steering Committee Report which will be discussed at the
May 12, 2004 City Council work session with the Open Space Steering
Committee. Both the Russell-Lloyds Lane and the 1400 Janneys Lane sites are
listed as important sites in the same report.

To date, there has been no opportunity for citizens to comment before
the Open Space Steering Committee, the Planning Commission or City
Council on these potential open space sites. The first opportunity for
public comment is scheduled for June, when City Council hears comment on the
recommended list of sites for acquisition. Then in the fall, Council will
evaluate specific sites, decide what sites to try to acquire and the level
of bonding for open space acquisitions. This process should be allowed to
proceed and not be prematurely cut short by granting the various approvals
being sought by each of these applications.

It fundamentally is disrespectful of the Open Space Plan, City Council
and the citizens of Alexandria to move forward with development of any of
these sites when there has never been an opportunity for citizens to comment
before Planning Commission and Council on the implementation of the Open
Space Plan and, specifically, on these sites, and when
Council has not yet had time to deliberate and decide as to whether to
purchase the sites.

It would also be an undue hardship to the developers to proceed with
consideration of these plans given that the sites are under consideration as
open space.

Your consideration of this request is greatly appreciated.

Sincerely,

Ginny Hines Parry, President
Alexandrians for Sensible Growth
317 Skyhill Road
Alexandria, VA 22314
703-212-0982
ghparry@fortebrio.com

Date: Tue, 04 May 2004 12:53:06 -0400

Subject: 5/4/04 Docket, Items #15, #24A and #24B; 5/6/04 Docket, Items
#2-A, #2-B

From: Ginny Hines Parry <ghparry@fortebrio.com>

To: Eric Wagner <erwagner@comcast.net>, Rich Leibach <RichLeiBACH@aol.com>,
John Komoroske <mkomorosj@nasd.com>,
"J. Lawrence Robinson" <jlr@cpma.com>,
Stewart Dunn <hsdunn@ipbtax.com>, Donna Fossum <fossum@rand.org>,
Jesse Jennings <jssjennings@aol.com>

Cc: Eileen Fogarty <eileen.fogarty@ci.alexandria.va.us>,
Barbara Ross <Barbara.Ross@ci.alexandria.va.us>

X-BigFish: vpcs-54(z21dIL519iz77cIKfb0P11fbP122eHzzzzz)

X-OriginalArrivalTime: 04 May 2004 17:16:21.0688 (UTC) FILETIME=[85579B80:01C431FB]

May 4, 2004

Chairman and Members of the Planning Commission
City Hall
301 King Street
Alexandria, VA 22314

Dear Chairman and Members of the Planning Commission:

Alexandrians for Sensible Growth (ASG) requests that the Planning Commission defer consideration of the items listed below because all of the sites are being considered for acquisition as open space by the City Council. City Council released a statement on May 3 stating that it will decide this fall what sites to try to acquire as open space with funds from bonding.

May 4, 2004 Docket:

15. SUBDIVISION #2003-0010
2207 IVOR LANE

Consideration of a request to subdivide the subject property into two lots;
zoned R-8/Residential.

Applicant: KG Development, LLC by Susan Kelly
(Deferred from April docket)

- 24-A. SUBDIVISION #2003-0011
1900, 1904 and 1910 RUSSELL ROAD
RUSSELL-LLOYDS

Consideration of a request to subdivide three existing lots on the subject property in order to reconfigure the parcel lines; zoned R-12/Residential.
Applicant: Renaissance Custom Communities, LLC by Harry Hart, attorney

- 24-B. DEVELOPMENT SITE PLAN #2004-0008
1900, 1904 and 1910 RUSSELL ROAD
RUSSELL-LLOYDS

Consideration of a request for a development site plan to construct three

single family dwellings; zoned R-12/Residential.

Applicant: Renaissance Custom Communities, LLC by Harry Hart, attorney

May 6, 2004 Docket:

2-A. SUBDIVISION #2004-0005

1400 JANNEY'S LANE

OAK GROVE

Consideration of a request to subdivide the subject property into 10 lots; zoned R-20/Residential.

Applicant: Elm Street Development, Inc. by Jonathan P. Rak, attorney

2-B. DEVELOPMENT SITE PLAN #2004-0005

STREET NAME #2004-0001

1400 JANNEY'S LANE

OAK GROVE

Consideration of a request for a development site plan to construct single family dwellings and a request to name a public street; zoned R-20/Residential.

Applicant: Elm Street Development, Inc. by Jonathan P. Rak, attorney

The Ivor Lane site is part of several parcels listed for priority attention in the Open Space Steering Committee Report which will be discussed at the May 12, 2004 City Council work session with the Open Space Steering Committee. Both the Russell-Lloyds Lane and the 1400 Janneys Lane sites are listed as important sites in the same report.

To date, there has been no opportunity for citizens to comment before the Open Space Steering Committee, the Planning Commission or City Council on these potential open space sites. The first opportunity for public comment is scheduled for June, when City Council hears comment on the recommended list of sites for acquisition. Then in the fall, Council will evaluate specific sites, decide what sites to try to acquire and the level of bonding for open space acquisitions. This process should be allowed to proceed and not be prematurely cut short by granting the various approvals being sought by each of these applications.

It fundamentally is disrespectful of the Open Space Plan, City Council and the citizens of Alexandria to move forward with development of any of these sites when there has never been an opportunity for citizens to comment before Planning Commission and Council on the implementation of the Open Space Plan and, specifically, on these sites, and when Council has not yet had time to deliberate and decide as to whether to purchase the sites.

It would also be an undue hardship to the developers to proceed with consideration of these plans given that the sites are under consideration as open space.

Your consideration of this request is greatly appreciated.

Sincerely,

Ginny Hines Parry, President
Alexandrians for Sensible Growth
317 Skyhill Road
Alexandria, VA 22314
703-212-0982
ghparry@fortebrio.com

31 & 32

6-12-04

304 East Spring Street
Alexandria, Virginia 22301
June 9, 2004

Mayor Bill Euille and
City Council members
City Hall
Alexandria, Virginia

Dear Mayor Euille and City Council members:

I am writing in support of the Planning Commission's decisions on items 31 and 32 of the docket for the June 12, 2004 Council meeting. I ask that you dismiss the appeals that have been made of the commission's decisions.

Docket item 31 concerns the Second Presbyterian Church site (development site plan 2004-0005). The dedication by the developer of two lots totaling more than one acre for public use is at least a partial victory for open space acquisition in the city. The city's open space plan, after all, does not specifically call for acquiring the entire site.

There has been discussion about the city purchasing an additional lot. Before you do this, please carefully examine and define what tangible additional open space benefit would be derived from doing this. Purchasing an additional lot would be expensive. I would prefer that the city make a significant investment in landscaping the one acre, so that this public space actually become usable (as opposed to space that can simply be observed and enjoyed from a distance). I am thinking about something more extensive than what the developer would be required to do, such as adding features that would shield visitors from the traffic and noise on Quaker and Janneys Lanes (berms and fountains, for example).

Docket item 32 concerns the property at Lloyd's Lane and Russell Road (development site plan 2004-0008, subdivision 2003-0011). I believe that the staff (with neighborhood input) has done a superb job in protecting the natural features of the site. (An astounding 70 percent of the property will remain in a "natural" state.) The staff (again with neighborhood input) has also taken extensive steps to reduce the impact that the home on lot 903 will have on adjacent properties. In short, this is an amazing site plan. Please don't accept any changes that would diminish it.

Finally, I find it unfortunate that there has not been more support for acquiring this 2.44-acre site for publicly useable open space. The site ranked highly but not highly enough in the initial analysis done by the Open Space Steering Committee. It ranked relatively highly because there is relatively little useable public open space in this area (compared to a relative abundance in the area surround the Second Presbyterian Church site).

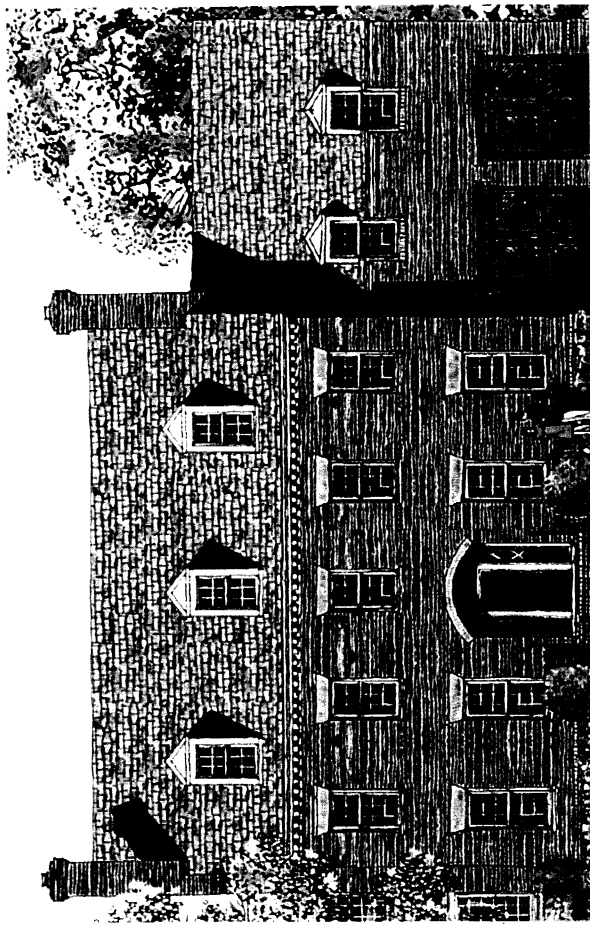
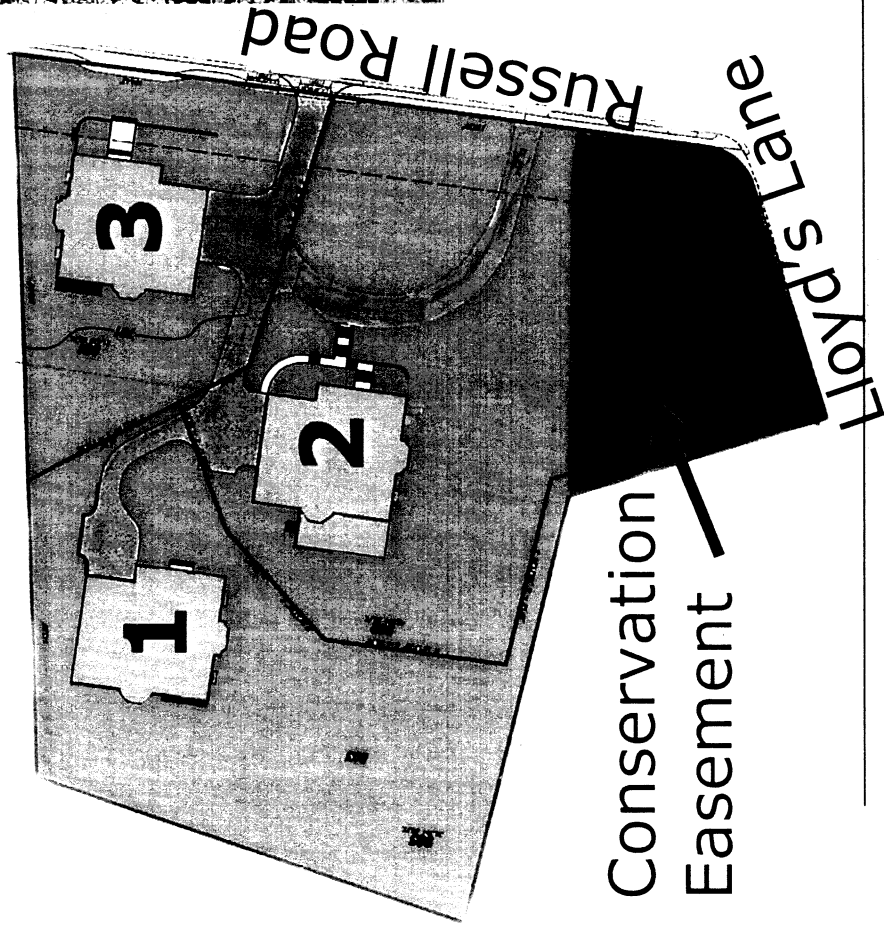
Thank you for your consideration.

Sincerely,


Bill Hendrickson

32
6-12-04

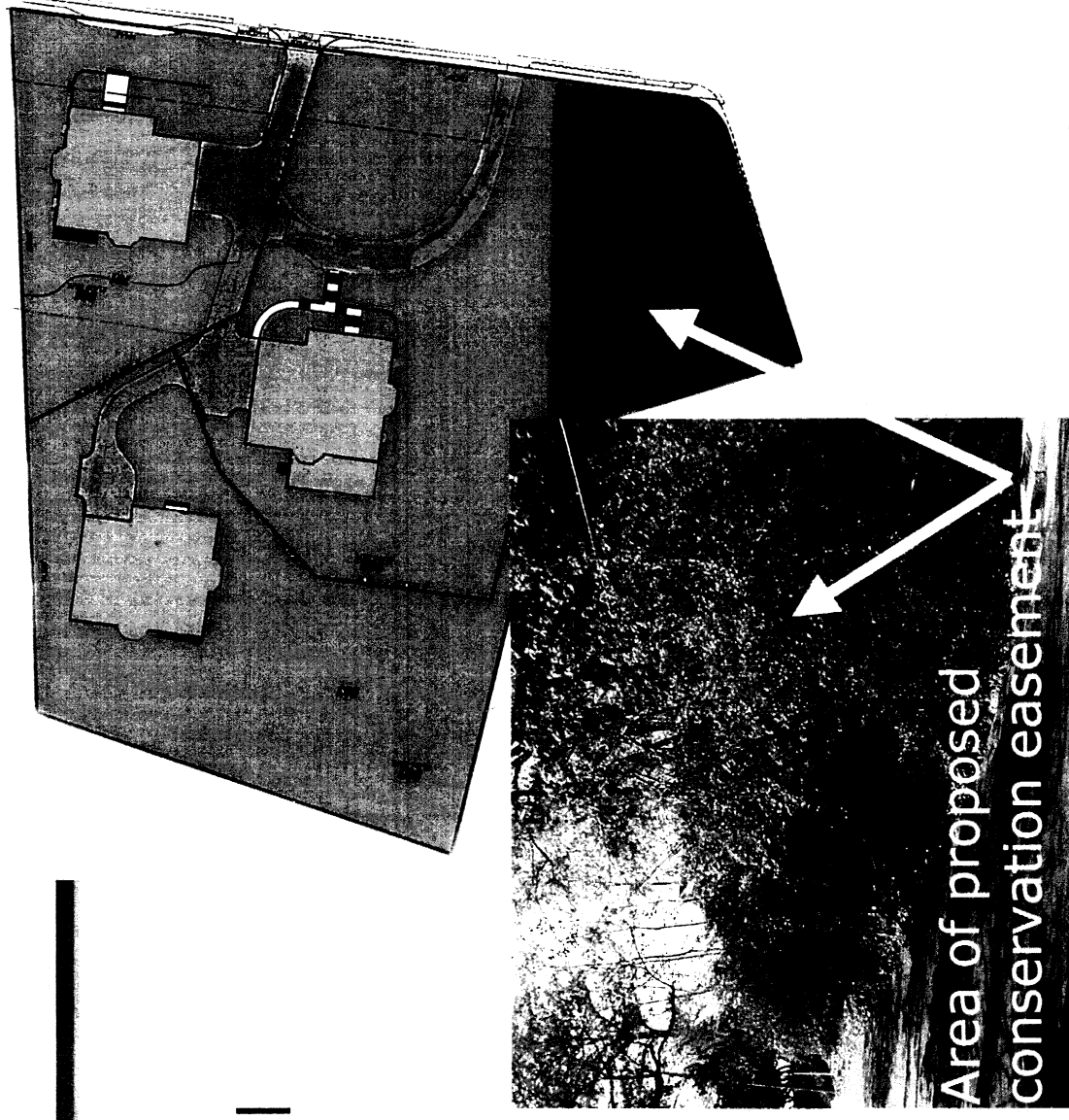
Proposal



- Retains 48 mature trees
- 15,862 sq. ft. conservation easement

Open Space

- 79% of site retained in natural state
- Retains open space on Russell Road, consistent with goal of Open Space Plan



Initial Issues Reviewed by Commission

- Compatibility
- Open Space
- Tree Retention
- Visual Impact

Process

- Community Input
- Environmental Policy
- Northridge Input
- Deferred application

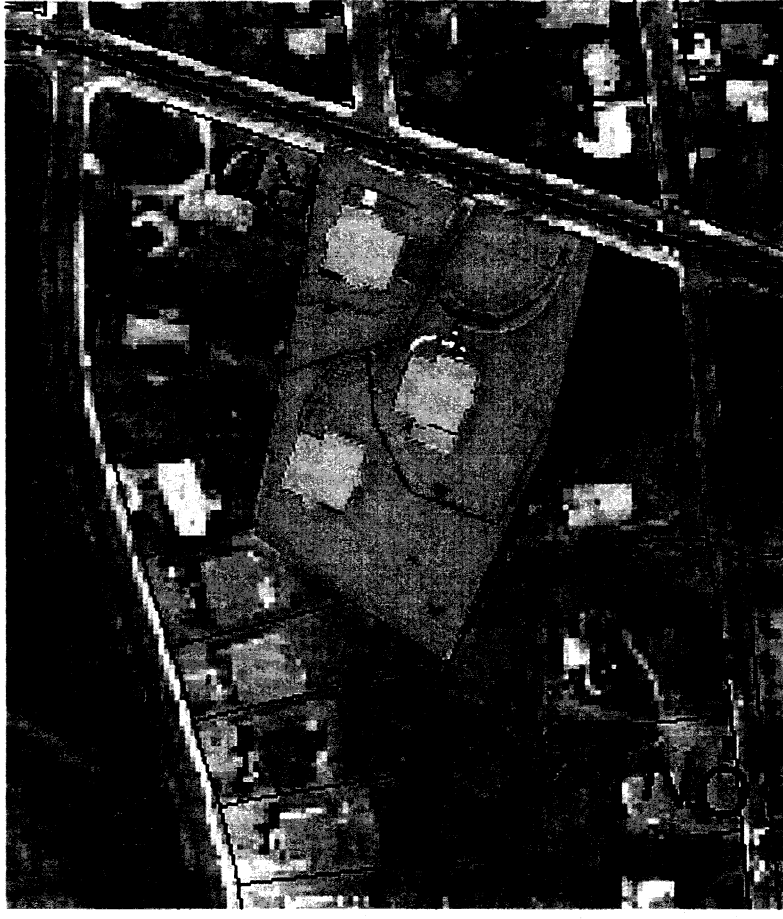
Site Plan and Subdivision Appeal

- Site location will have adverse impact on existing homes.
- Not compatible with neighboring homes or character of neighborhood.
- Adequate provision have not been made for open space.



Site Plan and Subdivision Appeal

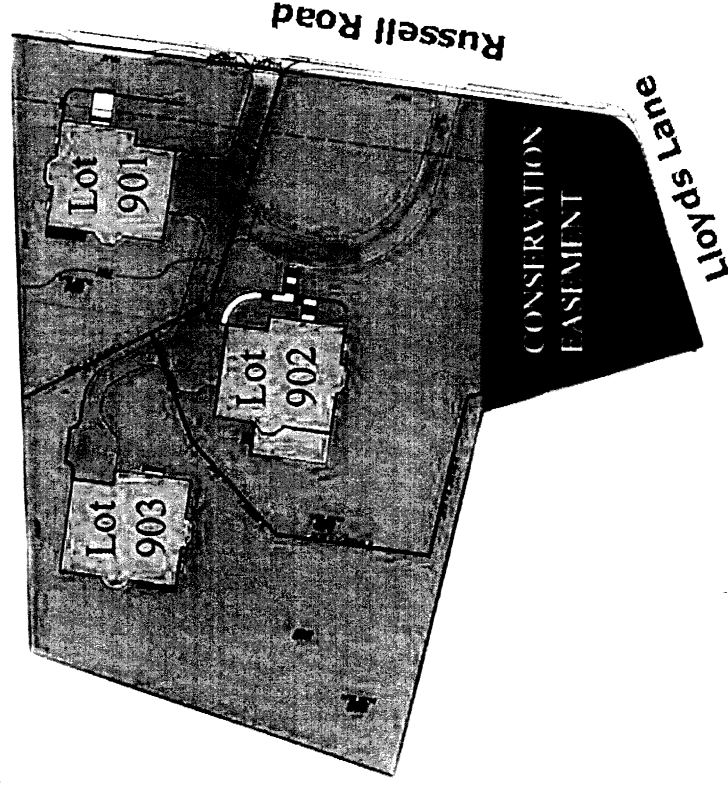
- A site plan may be appealed to the City Council by an owner of property within 1,000 feet.
- A subdivision may be appealed by the owners of at least 20% of the land area within 300 feet.
- Council can affirm, reverse or modify the decision of the Commission based on Findings of Fact as required by the Zoning Ordinance.



Planning Commission

May 4, 2004

- Testimony regarding open space, tree preservation, zoning, Open Space Master Plan.
- Seventeen speakers testified; eight in support, including Northridge Citizens Association.
- Planning Commission closed the public hearing to allow additional information and review of possible alternatives prior to May 6 hearing.





Current Proposal

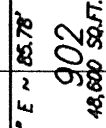


With House on Lloyds Lane

May 2004

EX-52-0

902 500 505



Planning Commission

May 6, 2004

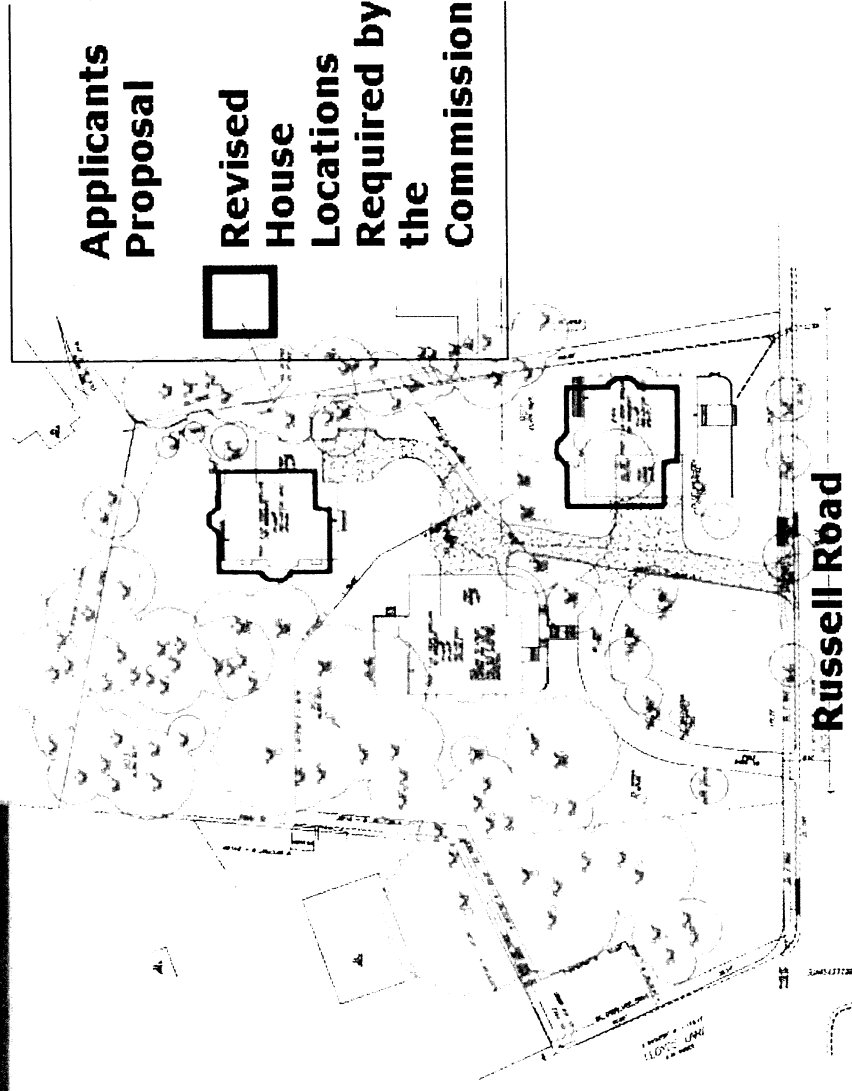
- PC approved (7-0 vote) and found the site plan complies with Sec 11-400 and 11-1700 of Zoning Ordinance.

- Commission added conditions

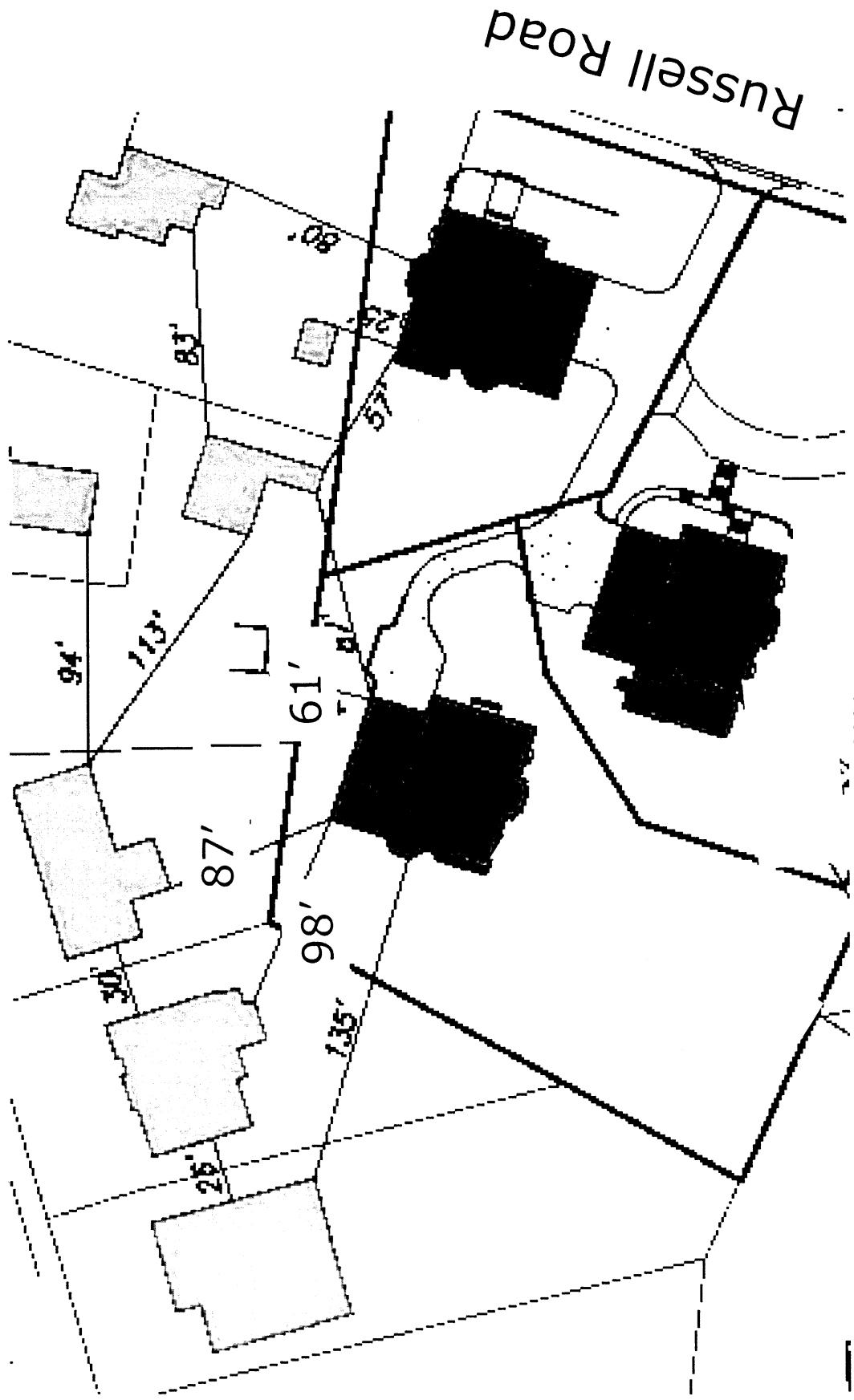
to:

- Decrease size of home for lot 903

~~- Additional front and side yard setback for lot 901~~

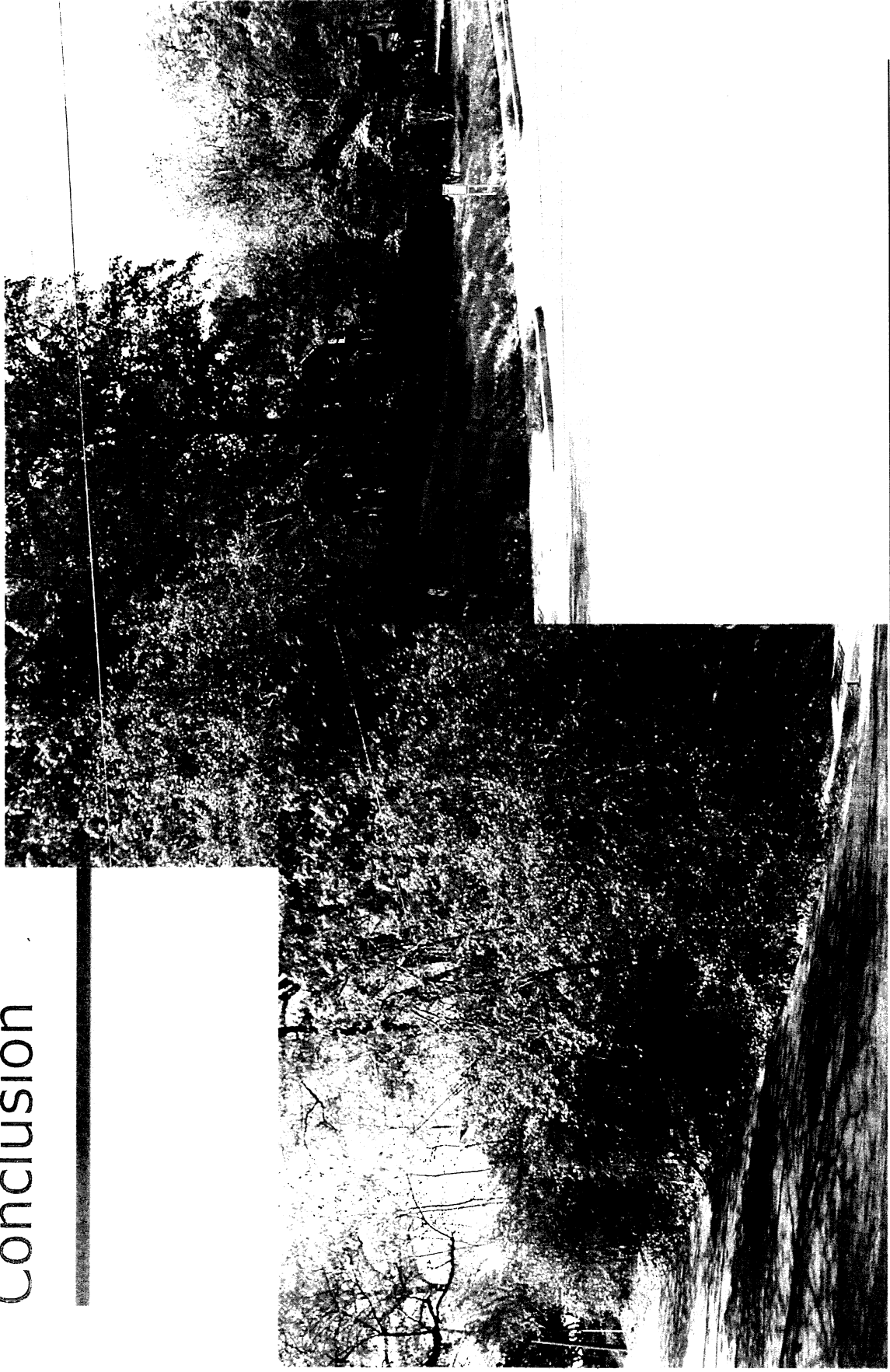


Building Locations



May 2004
Lloyd's Lane

Conclusion



City of Alexandria, Virginia


MEMORANDUM

32
6-12-04

DATE: JUNE 11, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: PHILIP SUNDERLAND, CITY MANAGER

FROM: EILEEN P. FOGARTY, DIRECTOR
PLANNING AND ZONING 

SUBJECT: RUSSELL-LLOYDS STAFF REPORT

The last line on page 3 of the memo dated June 4, 2004 regarding the Russell-Lloyds appeal was inadvertently dropped due to a printing error. Attached is a corrected version for your review.

Attachment

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 4, 2004

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

THROUGH: PHILIP SUNDERLAND, CITY MANAGER *PS*

FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING *E. Fogarty*

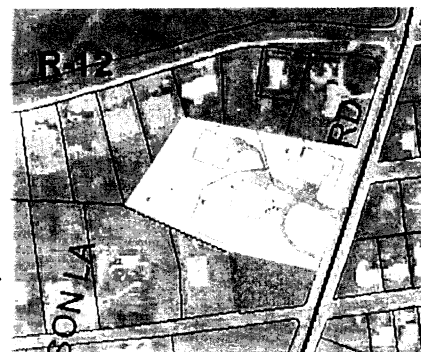
SUBJECT: RUSSELL - LLOYDS LANE (DSP# 2004-0008, SUB # 2003-0011)
APPEAL OF A SITE PLAN AND SUBDIVISION APPROVAL BY THE
PLANNING COMMISSION

I. Appeal:

Robert J. Test, representing nine adjoining property owners, is appealing the May 6, 2004, approvals of a site plan and subdivision by the Planning Commission. *(see attached staff reports)* The proposal is to construct three single-family homes within the current R-12 zoning and to subdivide three lots. The 2.44 acre site is located at the intersection of Lloyds Lane and Russell Road. The appeal does not identify specific areas of concern but rather general issues with the proposal such as, it "will have an adverse impact on the adjoining homes" and the configuration of open space. The Zoning Ordinance requires that adequate provision be made for the elements of the site plan and subdivision that the Commission and staff have found have been addressed as discussed below and within the staff report.

Site Plan Appeal:

A site plan approved by the Planning Commission may be appealed to City Council by an owner of property within 1,000 feet. The Council can affirm, reverse or modify the decision of the Commission.



Subdivision Appeal:

A subdivision approved by the Planning Commission may be appealed to City Council by the owners of at least 20% of the area of land within 300 feet of the proposed subdivision. The Council can affirm, reverse, or modify the decision of the Commission. The appeal meets the minimum criteria for an appeal of the site plan and subdivision plan.

Planning Commission Action:

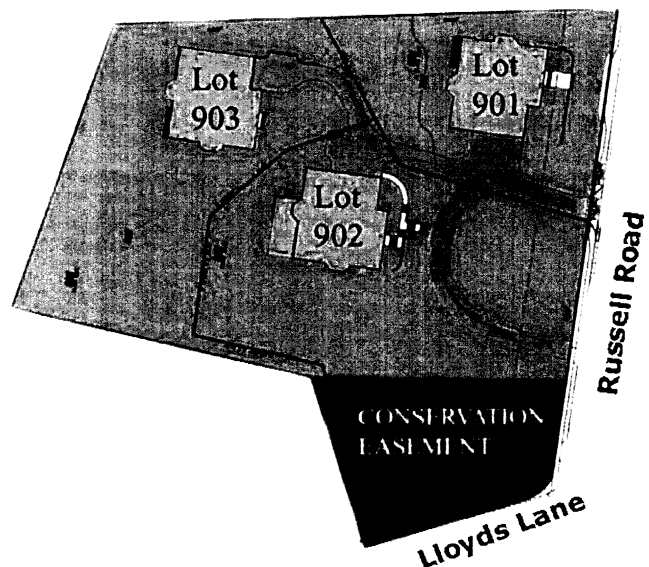
The Planning Commission approved the site plan and subdivision and found the applications in compliance with the current R-12 - single-family zoning requirements, with Sec. 11-400 (site plan requirements) and Sec. 11-1700 (subdivision requirements) and other applicable requirements of the Zoning Ordinance. The Commission also added 68 conditions of approval that address issues of water runoff, orientation of buildings, access, tree preservation, setbacks and compatibility with surrounding residential development. The Commission found that the retention of open space and tree canopy adjacent to Russell Road is consistent with the intent of the Open Space Plan. The Commission also found that the dedication of an open space easement at the corner of Russell Road and Lloyds Lane enabled the long-term retention of open space and trees on Russell Road, consistent with the Open Space Master Plan.

II. Background:

May 4, 2004 Planning Commission Hearing:

At the Planning Commission hearing, there was considerable discussion by the Commission, staff and adjoining residents regarding open space, tree retention compatibility and setbacks. Staff recommended approval of the proposal based on the open space easement, open space and tree retention, compliance with the Zoning Ordinance requirements and consistency with the Open Space Plan. There were seventeen speakers; eight of the speakers testified in support of the application, including the Northridge Citizens Association and nine of the speakers testified in opposition to the proposal.

The speakers in support of the proposed application discussed the positive attributes of the plan that include the open space easement, open space retention, tree retention and lower density than is permitted with the current zoning and generally agreed with the analysis within the staff report.



The speakers in opposition to the proposal raised concerns primarily related to the location of lot 903. The proposed house for lot 903 is located on approximately the same location as the existing tennis court in order to minimize the amount of tree loss and grading on the site. The concerns related to the mass, scale of the proposed home and the proposed setbacks of the proposed home in relation to the adjoining homes on West Windsor Avenue and the home at the corner of Russell Road and Windsor Avenue. One of the speakers also requested an additional front setback for lot 901. Several of the speakers requested deferral of the application to address the issues that had been raised.

The Planning Commission closed the public hearing and recessed the meeting in order to allow staff to provide additional information. The Commission directed the applicant, staff, and adjoining residents to review possible alternatives prior to the Commission's May 6th hearing.

Current Proposal

May 5, 2004 Meeting:

As directed by the Commission, City staff, the applicant, the attorney for the adjoining residents, adjoining residents, a representative from the Northridge Civic Association and a member of the Planning Commission met to discuss possible alternatives to address the concerns that had been raised.



Proposal With House on Russell Road



The first alternative that was discussed was the possibility of relocating the house from lot #903 to the southeast portion of the site adjacent to Russell Road. It was agreed by the group that this area contained a considerable amount of topography and trees that would be negatively impacted by a house in this location. Locating a house on the southeastern portion of the site would result in tall retaining walls and the elimination of the mature trees adjacent to Russell Road, including a 48" caliper tree and numerous other trees that would range from 13"-40" caliper trees. In addition, there is a spring house associated with a historic spring on this property in this area. The spring house dates to the early 20th century.

The second alternative that was discussed was the possibility of shifting the house on lot 903 to the south to increase the setback from the adjoining single-family homes. The applicant proposed a 17.9 ft. setback from the northern property line. It was agreed that significantly increasing the setback on the northern portion of the site would result in the loss of two large (27" and 25" caliper) trees. The group discussed the possibility of decreasing the width of the

house by 12 ft. and shifting the house approximately 5 ft. farther to the south, which is the most the house could be shifted and retain the two large trees. This would result in an increase on the northern property line from 17.9 ft. to 36 ft.

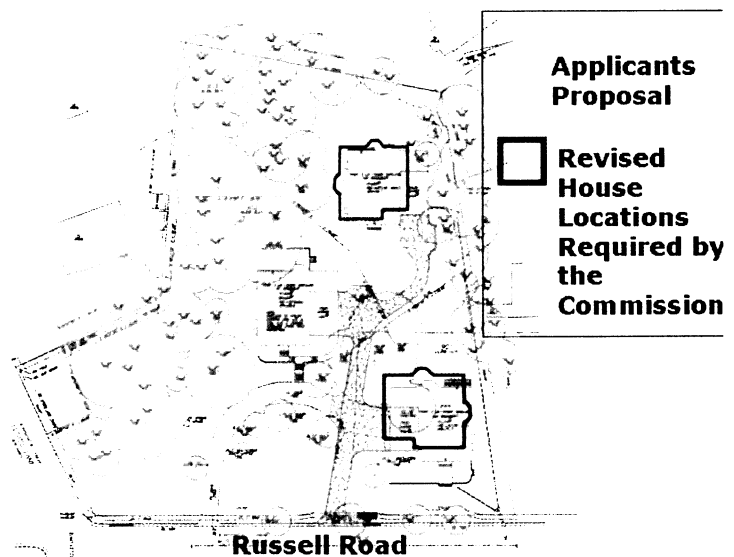
To address the concerns regarding the mass and scale of the buildings and privacy the building for lot 903 would continue to “step-down” to the adjoining home and the windows on the northern facade would be located in a way to provide minimal impacts on the adjoining homes. In addition, to address issues raised by the adjoining resident regarding the setback of the proposed house on Russell Road, the potential for that house to be setback an additional 10 ft. to increase the setback from 42 ft. to 52 ft. was discussed.

Building Step-Down
Adjacent to Single-Family Homes.



May 6, 2004 Planning Commission Hearing:

The Planning Commission approved the site plan because it found that the site plan complies with Sec.11-400 of the Zoning Ordinance and R-12 zoning requirements and also approved the subdivision and found that the subdivision plan complies with Sec. 11-1700 of the Zoning Ordinance. The Commission also found that the alternatives, as a result of the May 5th meeting, such as decreasing the size of the home, increasing the setback, providing a building step-down and the additional front setback for lot 901 addressed many of the concerns raised by the adjoining residents. The Commission did not support relocating the house for lot 903 to the southeastern portion of the site due to the extensive loss of trees and open space on Russell Road. The motion to approve the site plan and the motion for the subdivision approval both carried on a vote of 7 to 0.



III. Staff Recommendation:

Staff recommends that the Council deny the appeal for the reasons set out above.

32
6-12-04

ROBERT J. TEST

ATTORNEY AT LAW

TEL: 703.837.9070

FAX: 703.837.9758

June 11, 2004

The Honorable William D. Euille, and
Members of the Alexandria City Council
301 King Street
Alexandria, Virginia

BY HAND

Re: Appeal of Site Plan (DSP#2004-0008) and Subdivision (2003-0011) approvals
for 1900, 1904 and 1910 Russell Road, Alexandria, Virginia

Dear Mr. Euille and Members of Council:

This office represents Mr. and Mrs. Del Brocco, Mr. and Mrs. Field, Mr. and Mrs. Cureton, and other neighbors of the proposed re-subdivision of the above referenced properties. In support of our appeal we have attached a conceptual site plan prepared at my clients' expense in order to show the possibility of a site plan that does not have the negative impact of the one approved by the Planning Commission. While members of the public will address the issues and their impact on a personal level, we wanted to present a topic summary in anticipation of the meeting for your consideration.

My clients want you to know that:

- They were not a part of the design process. When the representatives of Renaissance Builders first approached my clients, it was with the idea that the two new houses would be located on the existing lots (1900 and 1910) and that the main house would be renovated. Subsequently, the builder, working with City Planning staff, developed the revised plan which was approved by the Planning Commission. At no time during this revision process were the neighbors most affected advised of its parameters. As a result, they have had to engage their own engineer and consult with professionals in the field to show a viable alternative, something that could have been avoided had they been involved in the process from its inception.
- The size and scope of the properties allow for significant opportunities for alternative development. While my clients acknowledge Renaissance' willingness to build only three houses on the site, each new house will be the equivalent in size and mass of three of the existing neighboring homes, so the scope of the project is not simply the three houses as described, but the original house (renovated) and two new houses of over 7,500 square feet, each with a footprint of 3,800 square feet.

Mayor Euille and Members of Council

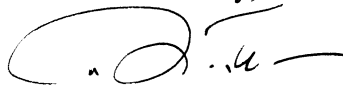
June 11, 2004

Page 2

- The size and mass of the new homes, if built on the site as approved, will simply overwhelm those houses adjoining the property. These new homes, will have a severe adverse impact on the neighboring homes, a negative impact ameliorated by the construction of the two new homes on Russell Road.
- The open space on the site will be preserved. Relocating the two new houses as proposed will not diminish the open space, but simply set it in a more compatible environment. While significant open space can be kept at the corner of Lloyd's Lane and Russell Road, additional open space can be dedicated at the rear of the site.
- The trees on the site will suffer from the construction process, no matter how the development is handled. The heavy equipment that will traverse the site during the construction process will have an adverse impact on the existing trees, many of which have been neglected, poorly cared for and are in fragile condition already. The trees that are lost on the site can be replaced, the value of my clients' life time investment in their homes, cannot.
- Moving the house that is proposed next to the Cureton's an additional 10 feet will not have a negative impact on the development, but will go a long way towards mitigating the harm done to their property.

On behalf of my clients we would ask that this Site Plan and Subdivision be denied and a site plan more consistent with the drawings attached be submitted for approval. If you have any questions, please feel free to call. Your kind consideration of this matter is greatly appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read "R. J. Test", with a large, stylized loop at the beginning and a horizontal line extending to the right.

Robert J. Test

RJT/pd
enc

Notes to proposed relocation of house on old Lot 703 (1900 Russell Road)

This proposed house location is an example of how the three house subdivision can be incorporated on the existing lots without the significant impact on the neighboring homes and minimum damage to significant trees. The existing horseshoe drive will be eliminated, a slightly wider drive to serve all three homes to be installed. This new plan assumes the same slightly "stacked" configuration of houses as approved by Planning Commission, with the house shown as lot 903 on the approved plan to now be in front of the existing structure, not behind it. Depending on final site design, this house can shift further south with little detrimental impact to the site or existing trees.

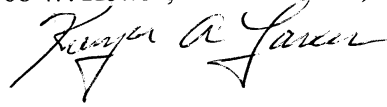
1. First floor projected at elevation approximately 80 feet.
2. Left rear corner at elevation 88 feet. Depending on final site and as-built grade, retaining wall of 3 to 4 feet may be required.
3. Garage elevation at approximately 78 feet. Driveway slope to garage of new house at approximately seven degrees, subject to final site grade.
4. Minimum variance required for building restriction line to safely maintain existing trees.
5. All houses to utilize existing drive off of Russell Road as proposed, with no additional curb cuts.
6. Lot 703 (as shown on this plan) to be slightly reconfigured to meet side yard requirements of new house, and to allow for its dedication for open space as originally proposed. Final lot lines to be determined in part by addition of optional music room to house as shown.

MEMORANDUM

32
6-12-04

To: Alexandria Mayor and City Council

From: Kenyon Larsen and neighbors (107 W. Howell, 108 W. Howell, 103 W. Howell) along Russell Road



Date: June 12, 2004

Support to *Deny the appeal*

Re: ~~Support~~ for Lloyds Lane (1900 to 1910 Russell Road) Development Plan Approved by Planning Commission and Northridge Civic Association

Deny this appeal and
You have a difficult choice, as did the Planning Commission and the Northridge Civic Association. I urge you to consider the needs of the entire neighborhood over the influence and threat of a few. This is what the Northridge Civic Association and the Planning Commission did in supporting the current plan. If you choose to move one of the homes to the corner of Russell Rd. and Lloyds Lane, you will be disregarding the concerns of a much larger number of neighbors to appease a small minority. We do not have the same financial resources of our W. Windsor neighbors, so we will not be able to take a revised plan to District Court, as Mr. Del Brocco has threatened.

After long consideration, the neighbors living along the east side of Russell Road and along Lloyds Lane supported the current plan you have before you. This plan:

- creates permanently protected open space and substantial trees,
- protects a historic spring house,
- retains the open feel of Russell Road,
- protects the intermittent stream,
- keeps the intersection at Lloyds Lane and Russell Road safe, and
- puts the third house out of Russell Road visibility on an already graded tennis court.

Yes, this choice puts a new home approximately 100 feet behind some very expensive homes along W. Windsor Ave.; homes that are already only 25 feet apart. On the other hand, moving this third home to the front of the property at the corner of Lloyds Lane and Russell Road, as suggested by the W. Windsor residents, will impact many more homes and it will change the open character of Russell Road. You will not hear from most of the people who supported the current plan at the Planning Commission Hearing. These people oppose a home on Russell Road, as do I.

This parcel is one of those recommended by the Open Space Steering Committee for protection of open space. The plan before you protects open space and creates a conservation easement. If the third home is put on the corner of Lloyds Lane and Russell Road, the open space needs of this parcel will NOT be met.

A driveway on the corner of Russell Road and Lloyds Lane will create an even more safety problems on a corner where my neighbors have witnessed numerous accidents.

Please, for our neighborhood, deny this appeal.

32

6-12-04

2000 Russell Road
Alexandria, VA 22301
June 4, 2004

The Honorable William D. Euille and
Members of the City Council
City of Alexandria
301 King Street
Alexandria, VA 22314

Re: 1904 Russell Road, Alexandria, Virginia
Appeal of Planning Commission Decision

Dear Mayor Euille and Members of the City Council:

According to the Department of Planning and Zoning, City Council will hear on June 12, 2004 an appeal from a decision of the Planning Commission on May 6, 2004 in regard to a proposed development at 1904 Russell Road. The residence of our family adjoins this proposed development.

On a procedural matter, a final decision by the Planning Commission on this proposed development, reached at its May 6 meeting, is not yet available four weeks later. Therefore, I cannot know, nor can anyone else, the decision of the Planning Commission on conditions for this development. It is difficult to appeal an action that remains uncertain. I suggest deferral of Council's consideration of this appeal until the parties and the public have a reasonable opportunity to review the decision of the Planning Commission.

Our objections to the proposed development involve the adverse impact on open space, neighborhood heritage and our privacy from the house that is proposed for lot 901 next to our residence on Russell Road. We believe that the proposed site of the house on lot 901 would:

Degrade severely the open space on that block of Russell Road (between Lloyd's Lane and West Windsor)

Degrade the site of the neighborhood landmark house at 2000 Russell Road

Unreasonably impose on the privacy of our residence

The Planning Commission addressed the privacy issue by eliminating a second story bay window overlooking our property and providing for natural screening. It also mitigated the degradation of the open space on Russell Road by requiring an additional 10 foot setback

of the proposed house from Russell Road. Finally, I understand that the Planning Commission addressed the issues of privacy, open space and degradation of the house at 2000 Russell Road by directing that the proposed house on lot 901 shift farther from the common boundary with 2000 Russell Road (to the southwest) to the extent feasible as determined by the Director of Planning and Zoning. We have requested that the house move 10 feet farther from our common boundary, for a total 25 foot side yard setback. The Director has declined to act on this Planning Commission mandate, and therefore, our appeal of this matter to City Council.

As evident from our discussions with the Director of Planning and Zoning and her senior staff, no legal or policy impediments would impede shifting the house 10 feet south from the proposed site. The Planning Commission granted permission for the developer to move internal lot lines within the tract, which would cure any setback problems created by the proposed site shift. No material issues of trees, topography or drainage arise from the proposed site shift. The access road in the property is a private road, so the proximity of the house on lot 901 to the road is not an issue.

I note that on proposed lot 903 of the development, located behind lot 901, the proposed house site had a similar 16 foot setback from the northern boundary as the house on lot 901. Apparently based solely on the issue of privacy for the neighboring houses, the house on lot 903 was moved an additional 18 feet from the northern boundary in difficult terrain circumstances. Unfortunately, this accommodation was reached at an ad hoc meeting, proposed by the Planning Commission, in which I was not included. Clearly, the proposed homes can be shifted within the development and given the compelling reasons of open space and heritage preservation, I urge action for a minor 10 foot shift of the house on lot 901.

In order to fulfill the apparent mandate of the Planning Commission and for the benefit of the community, I and my wife Deborah Cureton petition the City Council to require a revision of the site plan for the house on proposed lot 901 that would locate the house 10 feet farther from the northern boundary (with 2000 Russell Road).

Respectfully submitted,



Kenneth A. Cureton

1
6/12/04

SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 32

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. **NAME:** Harry P. Hart
2. **ADDRESS:** 307 N. Washington Street
TELEPHONE NO. 703-836-5757 **E-MAIL:** hcgk.law@verizon.net
3. **WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?**
Renaissance Custom Communities
4. **WHAT IS YOUR POSITION ON THE ITEM?**
For
5. **NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):**
Attorney
6. **ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL?**
Yes

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation. **If you have a prepared statement, please leave a copy with the City Clerk.**

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the Council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings are regularly held on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- by the City Clerk.
- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called
 - (b) No speaker will be allowed more than three minutes.
 - (c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
 - (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
 - (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

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6/12/04

SPEAKER'S FORM

DOCKET ITEM NO. 132

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Kenneth Cureton
2. ADDRESS: 2000 Russell Road, Alexandria, VA 22301
TELEPHONE NO. 703-684-5771 E-MAIL ADDRESS: _____
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Deborah Cureton
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: _____ AGAINST: X OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST,
CIVIC INTEREST, ETC.):
adjoining property owner
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES X NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed for public hearing at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- (b) No speaker will be allowed more than three minutes.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
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6/12/04²

SPEAKER'S FORM

DOCKET ITEM NO. 32

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: ROBT. TEST
2. ADDRESS: 918 Prince St, Alexandria, VA. 22314
- TELEPHONE NO. 703-837-9070 E-MAIL ADDRESS: RTESTLAW@MSN.COM
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? M. J. M. DEL BROCCO, et al
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: X AGAINST: _____ OTHER: (in support of appeal)
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES X NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the Clerk.

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